

other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes—to the Union Calendar.

By Mr. HENRY C. SMITH: A bill (H. R. 13823) to create and establish a commission known as the National Freight Commission, and to fix, determine, adjust, and regulate freight rates and rates of transportation—to the Committee on Interstate and Foreign Commerce.

By Mr. CORLISS: A bill (H. R. 13831) to protect employees of street railway companies, and so forth—to the Committee on the District of Columbia.

By Mr. PEARRE: A bill (H. R. 13838) granting leaves of absence to employees of the Post-Office Department in the mail-bag repair shop—to the Committee on the Post-Office and Post-Roads.

By Mr. TATE: A concurrent resolution (H. C. Res. 72) for the printing and binding of certain records, briefs, and arguments in cases in the Supreme Court—to the Committee on Printing.

By Mr. BOWERSOCK: A concurrent resolution of the legislature of Kansas, condemning the practice of hazing at the West-point Military Academy—to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. GAINES: A bill (H. R. 13824) to remove the charge of desertion from the military record of Adrian J. Weller—to the Committee on Military Affairs.

By Mr. HENRY of Mississippi: A bill (H. R. 13825) for the relief of the estate of James C. Mitchell, deceased—to the Committee on War Claims.

By Mr. MORRELL: A bill (H. R. 13826) to correct the military record of Calvin Hough—to the Committee on Military Affairs.

By Mr. NORTON of Ohio: A bill (H. R. 13827) granting an increase of pension to William Minnick—to the Committee on Invalid Pensions.

By Mr. PEARRE: A bill (H. R. 13828) granting an increase of pension to Selden E. Flowers—to the Committee on Invalid Pensions.

By Mr. STEELE: A bill (H. R. 13829) granting an increase of pension to Joe Cowgill—to the Committee on Invalid Pensions.

By Mr. HEDGE: A bill (H. R. 13830) granting a pension to Joseph W. White—to the Committee on Invalid Pensions.

By Mr. COOPER of Wisconsin: A bill (H. R. 13832) granting a pension to Joel Rice—to the Committee on Invalid Pensions.

By Mr. HAMILTON: A bill (H. R. 13833) for the relief of Wesley J. Brant—to the Committee on Military Affairs.

Also, a bill (H. R. 13834) granting a pension to Frank Mead—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13835) granting a pension to Minnie R. Jacks—to the Committee on Invalid Pensions.

By Mr. LANDIS: A bill (H. R. 13836) granting a charter to the General Federation of Women's Clubs—to the Committee on the Judiciary.

By Mr. RICHARDSON of Alabama: A bill (H. R. 13837) for the relief of the heirs of George W. Foster—to the Committee on War Claims.

Also, a bill (H. R. 13839) for the relief of the Masonic lodge of Tusculumbia, Colbert County, Ala.—to the Committee on War Claims.

Also, a bill (H. R. 13840) to place Gilbreath's Guides and Scouts upon the rolls of the United States Army—to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ADAMS: Resolutions of the select and common councils of Philadelphia, Pa., in favor of Senate bill No. 727, known as the ship-subsidy bill—to the Committee on the Merchant Marine and Fisheries.

By Mr. BARTLETT: Resolutions of the mayor and councils of Macon, Ga., in favor of an appropriation for the special or fast mail service between New York and New Orleans via Atlanta—to the Committee on the Post-Office and Post-Roads.

By Mr. BELL: Petition of citizens of Pueblo, Colo., in favor of the anti-polygamy amendment to the Constitution—to the Committee on the Judiciary.

By Mr. BULL: Papers to accompany House bill granting a pension to Elizabeth A. Collins—to the Committee on Invalid Pensions.

By Mr. BUTLER: Petition of citizens' meeting of Marple, Pa., for the exclusion of intoxicants from all countries inhabited by native races—to the Committee on Foreign Affairs.

By Mr. FARIS: Petition of wholesale and retail druggists of

Terre Haute, Ind., for the repeal of the special tax on proprietary medicines—to the Committee on Ways and Means.

Also, petition of H. P. Townley and 26 other citizens of Terre Haute, Ind., urging the passage of a measure providing a permanent supply of live water for irrigating purposes for the Pima and Papago Indians in Arizona—to the Committee on Indian Affairs.

By Mr. FITZGERALD of Massachusetts: Petition of the Merchants' Association of New York, favoring extension of the pneumatic tubular service in connection with the Post-Office Department—to the Committee on the Post-Office and Post-Roads.

By Mr. FLYNN: Petitions of bar associations of the counties of Payne, Wood, and Pottawatomie, Okla., asking for separate supreme court for Oklahoma—to the Committee on the Judiciary.

By Mr. GARDNER of New Jersey: Petition of citizens of Mays Landing, N. J., favoring anti-polygamy amendment to the Constitution—to the Committee on the Judiciary.

Also, petition of the Presbyterian Church of Barnegat, N. J., urging the restriction of the liquor traffic with natives of Africa—to the Committee on Foreign Affairs.

Also, petition of the Presbyterian Synod of New Jersey, urging the exclusion of all spirituous liquors from our insular possessions—to the Committee on Insular Affairs.

By Mr. GILL: Petition of S. M. Reid and other citizens of Steubenville, Ohio, favoring provision for an adequate and permanent supply of water for the Pima and Papago Indians—to the Committee on Indian Affairs.

By Mr. GRAHAM: Resolutions of select and common councils of Philadelphia, Pa., in favor of Senate bill No. 727, known as the ship-subsidy bill—to the Committee on the Merchant Marine and Fisheries.

By Mr. GRIFFITH: Papers in support of House bill No. 13553, for the relief of Otho Adams—to the Committee on Claims.

By Mr. JACK: Papers to accompany House bill No. 10471, for the removal of the charge of desertion against John B. Taylor, late a private in Company D, Sixty-second Pennsylvania Infantry—to the Committee on Military Affairs.

By Mr. McALEER: Petition of select and common councils of the city of Philadelphia, Pa., in favor of the passage of Senate bill No. 727, known as the ship-subsidy bill—to the Committee on the Merchant Marine and Fisheries.

By Mr. MOODY of Massachusetts: Petition of the Indian Association of Salem, Mass., relative to an adequate and permanent supply of living water for irrigation purposes for the Pima and Papago Indians—to the Committee on Indian Affairs.

By Mr. MORRELL: Resolutions of select and common councils of Philadelphia, Pa., in favor of Senate bill No. 727, known as the ship-subsidy bill—to the Committee on the Merchant Marine and Fisheries.

By Mr. NORTON of Ohio: Papers in support of House bill granting an increase of pension to William Minnick—to the Committee on Invalid Pensions.

By Mr. SIBLEY: Petition of 100 citizens of North Warren, Pa., and 50 citizens of Sandy Lake, Pa., for ratification of treaty between civilized nations—to the Committee on Foreign Affairs.

SENATE.

SATURDAY, January 26, 1901.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of yesterday's proceedings was read and approved.

MILITARY RESERVATIONS IN PORTO RICO.

The PRESIDENT pro tempore. The Chair lays before the Senate a report of the board of officers, which has been approved by the Secretary of War, relative to the turning over to civil officers certain parks, barracks, hospitals, etc., in Porto Rico used for military purposes and the acquisition of other land for the extension of military reservations. The communication, with the accompanying papers, will be printed, and, with the maps, referred to the Committee on Pacific Islands and Porto Rico. The Chair thinks that perhaps the maps should not be ordered printed for the present.

REGULAR OFFICERS AS OFFICERS OF VOLUNTEERS.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of War, transmitting, in response to a resolution of the 10th instant, a statement prepared by the Adjutant-General of the Army of all officers of the Regular Army who were appointed to be officers of volunteers since May 1, 1898, the rank held by such officers in the Regular Army when so appointed, etc.; which, with the accompanying papers, was referred to the Committee on Military Affairs, and ordered to be printed.

CREDENTIALS.

Mr. HEITFELD presented the credentials of Fred T. Dubois, chosen by the legislature of the State of Idaho a Senator from that

State for the term beginning March 4, 1901; which were read, and ordered to be filed.

Mr. MASON presented the credentials of SHELBY M. CULLOM, chosen by the legislature of the State of Illinois a Senator from that State for the term beginning March 4, 1901; which were read, and ordered to be filed.

PETITIONS AND MEMORIALS.

Mr. CULLOM presented a memorial of Andy Hosmer Post, No. 342, Department of Illinois, Grand Army of the Republic, of Ashley, Ill., remonstrating against any appropriation being made in aid of the St. Louis World's Fair; which was referred to the Committee on Appropriations.

He also presented a petition of sundry trade organizations of Chicago, Ill., praying for the repeal of the revenue tax on bank checks; which was ordered to lie on the table.

He also presented a petition of 211 citizens of Chicago, Ill., praying that an appropriation be made for an adequate and permanent supply of living water for irrigation purposes for the Pima and Papago Indians in Arizona; which was referred to the Committee on Indian Affairs.

He also presented petitions of sundry wholesale grocers of Zanesville, Mansfield, and Columbus, all in the State of Ohio, and of sundry wholesale grocers of Boston, Mass., and Providence, R. I., praying for the repeal of the revenue tax on tea; which was ordered to lie on the table.

He also presented a petition of 100 citizens of Woodstock, Ill., and a petition of the congregation of the Presbyterian Church of Freeport, Ill., praying for the enactment of legislation to prohibit the sale of intoxicating liquors to the native races in Africa; which were referred to the Committee on Foreign Relations.

He also presented petitions of the Trades and Labor Union of Alton; of Assumption Local Union, No. 8581, the American Federation of Labor, of Assumption; of the Labor Union of Cobden; of the Post-Office Clerks' Union of Chicago; of the Trades Council, American Federation of Labor, of Elgin; of Federal Labor Union, No. 7231, American Federation of Labor, of Sparta; of Local Union, No. 7481, American Federation of Labor, of Murphysboro; of Federal Labor Union, No. 8225, American Federation of Labor, of Herrin; of Federal Labor Union, No. 2276, American Federation of Labor, of De Soto; of Federal Labor Union, No. 8321, American Federation of Labor, of Marine; of Blacksmiths Helpers' Union, No. 7323, of Moline, and of the Trades Council, American Federation of Labor, of Murphysboro, all in the State of Illinois, praying for the enactment of legislation to limit the hours of daily labor of workmen and mechanics and also to protect free labor from prison competition; which were referred to the Committee on Education and Labor.

Mr. MCENERY presented a petition of the Woman's Indian Association of New Orleans, La., praying that an appropriation be made providing for an adequate and permanent supply of living water for irrigation purposes for the Pima and Papago Indians; which was referred to the Committee on Indian Affairs.

Mr. KEAN presented sundry petitions of citizens of Ardena, Millville, Bound Brook, Elizabeth, and Newark, all in the State of New Jersey, praying for the enactment of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were referred to the Committee on Agriculture and Forestry.

He also presented a petition of the Woman's National Indian Association, praying that an appropriation be made for an adequate and permanent supply of living water for irrigation purposes for the Pima and Papago Indians in Arizona; which was referred to the Committee on Indian Affairs.

He also presented sundry petitions of citizens of Medford, Asbury Park, Atlantic Highlands, and Bound Brook, all in the State of New Jersey, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in Army canteens; which were ordered to lie on the table.

He also presented a petition of the Junior Christian Endeavor Superintendents' Union of Elizabeth, N. J., and a petition of sundry citizens of Garfield, N. J., praying for the enactment of legislation to prohibit the sale of intoxicating liquors to the native races in Africa; which were referred to the Committee on Foreign Relations.

He also presented a petition of sundry workmen of the Pond Machine Tool Company, of Plainfield N. J., praying for the passage of the so-called ship-subsidy bill; which was ordered to lie on the table.

He also presented sundry petitions of citizens of Summit and Arlington, all in the State of New Jersey, praying for the adoption of an amendment to the Constitution to prohibit polygamy; which were referred to the Committee on the Judiciary.

Mr. CLAY presented a petition of sundry members of the bar of Savannah, Ga., praying for the enactment of legislation to increase the salaries of the Federal judges; which was referred to the Committee on the Judiciary.

Mr. THURSTON. By request I present a memorial of the Choctaw Nation relative to the status of the lands of the Wichita

Reservation. The memorial is short and important, and I move that it be printed as a document and referred to the Committee on Indian Affairs.

The motion was agreed to.

Mr. COCKRELL. I present a memorial of the Osage Nation relative to their treaty rights, together with a copy of a letter from them to the President of the United States. I move that the memorial and letter be printed as a document and referred to the Committee on Indian Affairs.

The motion was agreed to.

Mr. MASON presented petitions of sundry citizens of Bloomington, Peoria, Rockford, Woodstock, and Marengo, all in the State of Illinois, praying for the adoption of an amendment to the Constitution to prohibit polygamy; which were referred to the Committee on the Judiciary.

Mr. QUARLES presented a petition of 37 citizens of Waukesha County, Wis., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

He also presented a petition of 40 citizens of Marathon County, Wis., and a petition of sundry citizens of Wisconsin, praying for the enactment of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were referred to the Committee on Agriculture and Forestry.

Mr. HOAR presented the petition of Thomas Sharpe and 4 other citizens of Massachusetts, praying for the repeal of the revenue tax on tea; which was ordered to lie on the table.

Mr. SPOONER presented a petition of the Bark River Cheese Company, of Wisconsin, and a petition of Ferdinand C. Sellin and 38 other citizens of Ziegler, Wis., praying for the enactment of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were referred to the Committee on Agriculture and Forestry.

Mr. MORGAN. I present resolutions adopted by the National Board of Trade relative to the construction of the interoceanic canal. I ask that the resolutions be read and referred to the Committee on Interoceanic Canals.

There being no objection, the resolutions were read, and referred to the Committee on Interoceanic Canals, as follows:

Resolutions of the National Board of Trade relating to House bill No. 2538.

Whereas recent concurrent events have served to impress more forcibly than ever before the urgent necessity of removing the physical obstruction to international commerce interposed by the Isthmus of Darien; and

Whereas the Isthmian Canal Commission, appointed to report to Congress upon the possibilities of all routes, has recommended that known as the Nicaragua route as being the most available; and

Whereas a measure known as the Hepburn bill (H. R. 2538), which enables the President to take the initiative in securing the necessary right of way was passed by the House of Representatives at the last session of Congress, and which is now awaiting the action of the Senate, and a failure to pass this bill at this session would involve a renewal of all legislation and further serious menace to the commercial, industrial, manufacturing, and agricultural interests of the entire United States, as well as of countries having reciprocal trade relations with us; and

Whereas the great majority of the people of our country who have given intelligent consideration to this question in all its aspects are earnestly demanding that the work be inaugurated without further delay: Therefore it is

Resolved, That the National Board of Trade especially urges that the measure now pending in the United States Senate, above referred to (H. R. 2538) be passed without delay, to the end that immediate steps be taken for the commencement of the work on the lines recommended by the United States Canal Commission.

(Unanimously adopted by the National Board of Trade, January 24, 1901.)

Mr. PETTUS presented sundry affidavits to accompany the bill (S. 5415) for the relief of Louis Kahn; which were referred to the Committee on Claims.

Mr. FRYE presented the petition of S. R. Savage & Co. and five other business firms of Bangor, Me., praying for the repeal of the revenue tax on tea; which was ordered to lie on the table.

He also presented the petition of P. C. Claffin and sundry other citizens of Washington, D. C., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

THE HOLLAND SUBMARINE BOAT.

Mr. DANIEL. I present a paper on the military value of the Holland submarine boat, and need of additional boats of the Holland type. I move that the paper be printed as a document, and referred to the Committee on Naval Affairs.

The motion was agreed to.

REPORTS OF COMMITTEES.

Mr. THURSTON, from the Committee on Indian Affairs, to whom was referred the bill (H. R. 8856) amending the act of August 15, 1894, entitled "An act making appropriations for current and contingent expenses of the Indian Department and fulfilling treaties and stipulations with various Indian tribes, for the fiscal year ending June 30, 1895," and for other purposes, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 3354) amending the act of August 15, 1894, entitled "An act making appropriation for current and contingent expenses of

the Indian Department and fulfilling treaties and stipulations with various Indian tribes for the fiscal year ending June 30, 1895," and for other purposes, reported adversely thereon, and the bill was postponed indefinitely.

He also, from the same committee, to whom was referred the bill (H. R. 8814) to provide for the entry of lands formerly in the Lower Brulé Indian Reservation, S. Dak., asked to be discharged from its further consideration, and that it be referred to the Committee on Public Lands; which was agreed to.

Mr. DEPEW, from the Committee on Commerce, to whom was referred the bill (S. 5684) to extend the privileges provided by an act entitled "An act to amend the statutes in relation to the immediate transportation of dutiable goods, and for other purposes," approved June 10, 1880, as amended, reported it without amendment.

Mr. BARD, from the Committee on Indian Affairs, to whom was referred the bill (H. R. 10700) to confirm a lease with the Seneca Nation of Indians, reported it without amendment, and submitted a report thereon.

Mr. GALLINGER. I am directed by the Committee on the District of Columbia, to whom was referred the bill (H. R. 11881) to amend an act entitled "An act for the protection of birds, preservation of game, and for the prevention of its sale during certain closed seasons in the District of Columbia," to report it with amendments, and to submit a report thereon.

The PRESIDENT pro tempore. The bill will be placed on the Calendar.

Mr. GALLINGER. I move that the bill (S. 3157) to amend an act for the protection of fish in the District of Columbia, for the maintenance of a permanent spawning ground in the Potomac River in said District, and for other purposes, being Order of Business 1430 on the Calendar, and the bill (S. 3158) to amend an act entitled "An act for the protection of birds, preservation of game, and for the prevention of its sale during certain closed seasons, in the District of Columbia," being Order of Business 1431, be postponed indefinitely, and that the House bill just reported by me be given the place of Senate bill 3157, Order of Business 1430.

The motion was agreed to.

Mr. PROCTOR. I am directed by the Committee on Agriculture and Forestry, to whom was referred the bill (H. R. 3717) to make oleomargarine and other imitation dairy products subject to the laws of the State or Territory into which they are transported, and to change the tax on oleomargarine, to report it without amendment, and submit a report thereon.

Mr. HEITFELD. I present the views of the minority, and ask that they be filed with the papers.

The PRESIDING OFFICER (Mr. PERKINS in the chair). The report of the majority and the views of the minority will be printed, and the bill will be placed on the Calendar.

BILLS INTRODUCED.

Mr. ELKINS introduced a bill (S. 5750) granting an increase of pension to Peter C. Cleek; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 5751) granting an increase of pension to Andrew J. Williams; which was read twice by its title, and referred to the Committee on Pensions.

Mr. SHOUP introduced a bill (S. 5752) granting an increase of pension to Franklin B. Delany; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BAKER introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 5753) granting an increase of pension to Charles W. Helvey;

A bill (S. 5754) granting an increase of pension to W. F. Null (with accompanying papers); and

A bill (S. 5755) granting a pension to August Kroll (with accompanying papers).

Mr. FAIRBANKS introduced a bill (S. 5756) granting a pension to Flavius Shanks; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 5757) granting a pension to Jane Farmer; which was read twice by its title, and referred to the Committee on Pensions.

Mr. RAWLINS introduced a bill (S. 5758) granting a pension to Loyd B. Stephens; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 5759) granting a pension to Jacob A. Ward; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. DEPEW introduced a bill (S. 5760) for the relief of Capt. Frederick Ford; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 5761) directing the issue of a check in lieu of a lost check drawn by Capt. E. O. Fechet, disbursing officer, United States Signal Service Corps, in favor of the Bishop

Gutta Percha Company; which was read twice by its title, and referred to the Committee on Finance.

Mr. SULLIVAN introduced a bill (S. 5762) for the relief of Jean Michel Vendenhiem, a citizen of France residing in the United States; which was read twice by its title, and referred to the Committee on Claims.

Mr. MASON introduced a bill (S. 5763) granting a pension to Anna Schuman; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 5764) granting a pension to Walter Aitken; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CHILTON introduced a bill (S. 5765) for the relief of Julius E. Mugge; which was read twice by its title, and referred to the Committee on Claims.

Mr. TALIAFERRO introduced a bill (S. 5766) for the relief of Maj. Robert Gamble; which was read twice by its title, and referred to the Committee on Claims.

Mr. FRYE introduced a bill (S. 5767) granting an increase of pension to Frank K. Nye; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. MONEY introduced a bill (S. 5768) for the relief of the estate of John Fleming, deceased; which was read twice by its title and referred to the Committee on Claims.

Mr. MCENERY (by request) introduced a joint resolution (S. R. 156) to place P. J. McMahon, late passed assistant engineer, United States Navy, on the retired list; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Naval Affairs.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. PERKINS submitted an amendment proposing to appropriate \$6,459.32 to defray the cost of securing a supply of fresh water at the naval training station, California, intended to be proposed by him to the naval appropriation bill; which was referred to the Committee on Naval Affairs, and ordered to be printed.

Mr. MASON submitted an amendment proposing to appropriate \$3,000 for salary of the clerk of the circuit court for the southern district of Iowa, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. CHANDLER submitted an amendment providing that retired officers of the Navy when ordered to active duty under the provisions of the act approved June 7, 1900, shall, while so employed, have the rank, pay, and allowances of officers of the active list of like length of active service, etc., intended to be proposed by him to the naval appropriation bill; which was referred to the Committee on Naval Affairs, and ordered to be printed.

Mr. BACON submitted an amendment proposing to appropriate \$3,000 for paving Crescent street west of Sixteenth street, and \$5,000 for paving Huntington street, intended to be proposed by him to the District of Columbia appropriation bill; which was referred to the Committee on the District of Columbia, and ordered to be printed.

WATERS OF THE RIO GRANDE.

On motion of Mr. MONEY, it was

Ordered, That the bill (S. 3794) to provide for the equitable distribution of the waters of the Rio Grande River between the United States of America and the United States of Mexico be recommitted to the Committee on Foreign Relations.

WITHDRAWAL OF PAPERS.

On motion of Mr. BAKER, it was

Ordered, That the papers in the case of S. 3010, first session Fifty-sixth Congress, "For the benefit of the heirs and legal representatives of John P. Maxwell and Hugh H. Maxwell, deceased," be withdrawn from the files of the Senate, there being no adverse report thereon.

ELECTION OF SENATORS BY THE PEOPLE.

On motion of Mr. BUTLER, it was

Ordered, That parts 1 and 2 of Report No. 530, first session Fifty-fourth Congress, being the majority report by Senator Mitchell, and the views of the minority by Senator CHANDLER, upon the election of Senators by the people, be reprinted.

NAVAL APPRENTICES.

Mr. HALE submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of the Navy be, and hereby is, directed to send to the Senate the following information, to wit: What is the number of naval apprentices who have taken the course of instruction at the naval training schools during the past six years, and what proportion of the same are now in the United States naval service.

CHURCH LANDS IN PHILIPPINE ISLANDS.

Mr. HOAR submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the President, so far as in his judgment may be not inconsistent with the public interest, be requested to communicate to the Senate all information in his power, or in that of any of the Executive Departments, in regard to the lands held in mortmain or otherwise for ecclesiastical or religious uses in the Philippine Islands, including the character of the title

to such lands, the extent and value of the same, and the parts of the islands where they exist; and further, whether he has in behalf of the Government entered into any obligation, other than what is set forth in the late treaty with Spain, in regard to their disposition or the maintenance of any alleged titles thereto, or has announced or declared any policy to be pursued in dealing with such titles. Also to communicate to the Senate any map of the territory of the Philippine Islands or any part thereof in which these domains are laid down.

INDIAN APPROPRIATION BILL.

Mr. THURSTON. I ask unanimous consent that the Senate resume the consideration of the bill known as the Indian appropriation bill.

The PRESIDENT pro tempore. The Senator from Nebraska asks unanimous consent that the Senate proceed to the consideration of the Indian appropriation bill. If there is no objection, the Chair will lay the bill before the Senate.

Mr. HANSBROUGH. I ask the Senator from Nebraska if he will not kindly yield to me for a few moments that I may call up a bill which I desire to have passed.

The PRESIDENT pro tempore. Does the Senator from Nebraska yield to the Senator from North Dakota?

Mr. THURSTON. I will yield if the bill does not cause any discussion.

Mr. HANSBROUGH. It is an ordinary bridge bill, and it will not lead to discussion.

Mr. THURSTON. Very well.

RED RIVER BRIDGE AT FARGO, N. DAK.

Mr. HANSBROUGH. I ask the Senate to proceed to the consideration of the bill (H. R. 11785) to provide for the construction of a bridge by the Fargo, Duluth and Northwestern Railroad Company across the Red River of the North, at Fargo, N. Dak.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BARKENTINE J. C. PFLUGER.

Mr. FOSTER. Mr. President—

Mr. THURSTON. I yield to the Senator from Washington.

Mr. FOSTER. I desire to call up the bill (S. 5331) to provide an American register for the barkentine *J. C. Pfluger*, of San Francisco, Cal.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

SENECA NATION OF NEW YORK INDIANS.

Mr. THURSTON. The discussion yesterday developed the fact that there is a small bill on the Calendar from the Committee on Indian Affairs, which has an intimate relation to one of the amendments proposed to the Indian appropriation bill. I therefore ask unanimous consent to call up the bill (H. R. 4718) to regulate the collection and disbursement of moneys arising from leases made by the Seneca Nation of New York Indians, and for other purposes.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported from the Committee on Indian Affairs with an amendment, to strike out section 1, in the following words:

That all moneys which shall belong to the Seneca Nation of New York Indians arising from rents under the provisions of the act of Congress entitled "An act to authorize the Seneca Nation of New York Indians to lease lands within the Cattaraugus and Allegany reservations, and to confirm existing leases," approved February 19, 1875, and September 30, 1890, respectively, together with all moneys which shall belong to said Seneca Nation arising from the lease of the oil springs, the Cattaraugus and Allegany reservations for the purpose of boring and testing said territory for gas and oil, as ratified and confirmed by an act of Congress entitled "An act making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1898, and for other purposes," approved the 7th day of June, 1897, also included any gas or oil well located upon the lands belonging to said Seneca Nation, shall be paid to and recoverable by the United States Indian agent for the New York Indian Agency for and in the name of said Seneca Nation.

And in lieu thereof to insert:

That all moneys which shall belong to the Seneca Nation of New York Indians arising from existing leases or leases that may hereafter be made of lands within the Cattaraugus, Allegany, and Oil Springs reservations, shall be paid to and be recoverable to the United States Indian agent for the New York Indian Agency for and in the name of the said Seneca Nation: *Provided*, That nothing herein contained shall be held to validate or confirm any lease that otherwise may be invalid.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

INDIAN APPROPRIATION BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12904) making appropriations for the

current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1902, and for other purposes.

Mr. THURSTON. Mr. President, the day before yesterday, by direction of the Committee on Indian Affairs, I proposed an amendment at the end of line 12, on page 31, relating to hides. The Commissioner of Indian Affairs this morning appeared before the committee and assured the committee that the proceeds of the hides of the beeves killed for distribution to the Indians are now divided among the Indians, and that it was much better that that procedure should continue than that the raw and bloody hides themselves should be distributed. The committee, acting on this new information, authorize me to move a reconsideration of the vote by which that amendment was agreed to.

The PRESIDENT pro tempore. The Senator from Nebraska moves to reconsider the vote by which the Senate agreed to the amendment which will be stated.

The Secretary read the amendment heretofore adopted, which was on page 31, after line 12, to insert:

That in the issuance of beef to Indians at all agencies the hides of the animals slaughtered shall be given to the Indians.

The PRESIDENT pro tempore. In the absence of objection, the vote by which the amendment was agreed to will be regarded as reconsidered. Does the Senator withdraw the amendment?

Mr. THURSTON. Mr. President, I ask unanimous consent to withdraw the amendment.

The PRESIDENT pro tempore. In the absence of objection, the amendment will be withdrawn.

Mr. THURSTON. Now I ask that the reading of the amendments which have been passed over may be resumed at the point reached yesterday.

The SECRETARY. On page 44, after the word "dollars" at the end of line 2, the Committee on Indian Affairs reported to insert:

Provided, That hereafter the Secretary of the Interior may, whenever the chief executive of the Choctaw or Chickasaw Nation fails or refuses to appoint a town-site commissioner for any town, or to fill any vacancy caused by the neglect or refusal of the town-site commissioner appointed by the chief executive of the Choctaw or Chickasaw Nation to qualify or act, in his discretion, appoint a commissioner to fill the vacancy thus created.

Mr. THURSTON. Mr. President, in connection with this provision and to supplement what I said on yesterday as to why it is necessary, I read a communication from the Department of the Interior, as follows:

DEPARTMENT OF THE INTERIOR,
OFFICE OF CHICKASAW TOWN-SITE COMMISSION,
Ardmore, Ind. T., December 31, 1900.

SIR: Replying to your communication of the 29th instant, wherein you state that certain towns are being surveyed under the provisions of act of Congress approved May 31, 1900 (31 Stat., 221), and asking to be advised whether I will be prepared and ready to proceed to said towns to appraise same, I will state that I am directed by the governor of the Chickasaw Nation, to whom I referred your former letter, to inform you that I am awaiting his instructions in the premises and that I will act in the light thereof.

Very respectfully,

WESLEY B. BURNLEY,

Town-Site Commissioner on part of Chickasaw Nation, Ind. T.

Mr. J. GEORGE WRIGHT,
United States Indian Inspector, Muscogee, Ind. T.

This is one of the cases which has given rise to the necessity for this amendment. Under existing law the town-site appraisements can not go ahead unless the chief of the tribe appoints his member and unless that member is ready to act. Where the nation or the chief for any reason wish to delay or prevent action, that is the way in which it is done. It is simply to cure a failure in the existing law that this amendment is proposed.

Mr. HAWLEY. Will the Senator from Nebraska yield to me?

Mr. THURSTON. I yield to the Senator from Connecticut.

THE MILITARY ESTABLISHMENT.

Mr. HAWLEY. I present the conference report on the Army reorganization bill.

The PRESIDENT pro tempore. The Senator from Connecticut presents the report of the conference committee on the Army reorganization bill, which will be read.

Mr. HAWLEY. Mr. President, before reading the report through, I might as well state what I am about to ask the Senate to do. There is a mistake in the conference report respecting amendments numbered 81 and 93. The conference report as to amendment numbered 81 refers to sections 13, 17, and 20, whereas in fact, by the renumbering of these sections, the conference report should refer to sections 16, 17, 21, and 24.

With respect to amendment numbered 93, the conferees desire to restore the matter stricken out by said amendment—and that was really the action of the committee—and in the amendment that follows, on page 24, section 26, line 13, after the word "may," insert "upon his own application." The House of Representatives having adopted the report with these errors, the only way now is to reject the report and ask for a new conference, which can make the corrections in a very short time.

The PRESIDENT pro tempore. The Senator from Connecticut

moves that the Senate disagree to the report of the conference committee.

Mr. PLATT of Connecticut. I think the conference report had better be read, Mr. President.

Mr. LODGE. I think we had better see it before we act on it.

Mr. HAWLEY. I do not ask for any action.

The PRESIDENT pro tempore. The Senator from Connecticut said there were some mistakes in the report.

Mr. LODGE. I understand that; but the Senator wants to have the report disagreed to and sent back to conference. Before that is done I think the Senate should have an opportunity to examine it.

Mr. HAWLEY. Examine what?

Mr. LODGE. Examine the bill as it has been changed. We have not had a print of it on our desks.

Mr. HAWLEY. The reprint is going through the Printing Office, as I have said, and by the time we are ready to again submit the report we will try to have the revised report printed and on the desks of Senators. We have discussed the matter carefully. This is a short way of remedying the errors, and the only way in which we can do it.

Mr. LODGE. It is obvious that the only way we can get the report back to conference is by disagreeing to it.

Mr. HAWLEY. That was my motion.

Mr. LODGE. But there may be other things that we may want to correct. We can, of course, disagree to the report and send it back with instructions. There is no doubt about the parliamentary position. If we disagree to the report, I for one want to have an opportunity to examine what has been done by the conference committee so far. We have not had the bill reprinted so that we may know the form in which it stands. We were promised it this morning, so that we might have an opportunity to examine it, but we have not received it, and we have no idea of what has been done in that report.

Mr. PLATT of Connecticut. I think when a conference report is presented it should either be read to the Senate or withdrawn.

Mr. HAWLEY. We can not withdraw it.

Mr. PLATT of Connecticut. You can withdraw it.

Mr. HAWLEY. We have no parliamentary right to do so.

Mr. PLATT of Connecticut. But when a report is presented to the Senate it ought not to be acted upon, either rejected or adopted, without having been read to the Senate. If the conference report is read to the Senate, it will go into the RECORD, and Senators will have an opportunity to-morrow morning of seeing what the conference committee has done, as well with reference to all matters of disagreement as with reference to those matters where it is said errors have been made.

Mr. ALLISON. Mr. President, the conference report has been adopted by the House of Representatives and is printed in the RECORD this morning.

Mr. CHANDLER. The Senate made an order yesterday to print it, and the reprint should have been here this morning.

Mr. HAWLEY. It ought to have been here, and would have been here, but for this unaccountable error.

Mr. CHANDLER. But who could stop the printing of the report for an error?

The PRESIDENT pro tempore. The Senator from Iowa [Mr. ALLISON] has the floor.

Mr. ALLISON. Yes, Mr. President; but I yielded to Senators around me for explanations. I only wish to call the attention of the Senator from Connecticut [Mr. PLATT] to the fact that this conference report has been agreed to by the House of Representatives, and that it is printed in the RECORD this morning with various explanations showing the effect of the amendments made by the conferees.

Mr. PLATT of Connecticut. If I still have the floor, and I suppose I have it—

Mr. ALLISON. I asked the Senator to yield to me.

The PRESIDENT pro tempore. The Chair supposed the Senator from Connecticut [Mr. PLATT] had yielded.

Mr. PLATT of Connecticut. I had not. So far as what I said in reference to the convenience of the Senate of having the report appear in the RECORD is concerned, it seems that that has been obviated by its already being printed there. But what I said with reference to action on the report of a committee of conference, either to accept or reject it without it having been read to the Senate, I think holds good. If we set a precedent of that sort we shall have trouble with our conference reports, and they are the most important forms in which legislation comes to the Senate.

We discuss here in the Senate these questions; we make amendments; there are many disagreements between the Senate and the House, and then the whole matter goes into the hands of three conferees on the part of the Senate and three on the part of the House. They bring in their conference reports, and usually bring them in at times of great pressure and we act on them with great haste.

I think we ought to set no precedent in the Senate of rejecting

or accepting a conference report without it having been read to the Senate.

Mr. HAWLEY. The Senator has a right to have it read.

Mr. LODGE. I should like to make a parliamentary inquiry. The PRESIDENT pro tempore. The Senator from Massachusetts will state his parliamentary inquiry.

Mr. LODGE. When that report is read, then the question comes, I suppose, on its consideration?

The PRESIDENT pro tempore. It does, if it is raised.

Mr. LODGE. And one objection does not carry it over?

The PRESIDENT pro tempore. No.

Mr. LODGE. The question comes then simply on its consideration?

The PRESIDENT pro tempore. The Senator correctly states the parliamentary status.

Mr. LODGE. I wanted to know, because I was in hopes that we should be able to pass upon the report intelligently. It was understood yesterday that before agreeing to the report—these errors were not then known—we should have an opportunity to examine the bill as it came from the committee of conference. Disagreeing is taking action in exactly the same way. I desire to examine the bill, and I know other Senators desire to do so, before taking any action on the report; and we have not got the bill before us.

Mr. TELLER. Mr. President, the understanding was that we were to have this bill as it will stand if we accept the report of the conference committee. There is nothing in the RECORD which will enable anybody, without several days' work, to determine what that bill is. A great number of amendments have been made to it, and the amendments and the bill itself are not in the RECORD and not in print. This is an important bill, and, in my judgment, we are entitled to have it before we act upon this question.

Mr. ALLISON. If the Senator will allow me a moment, I have had occasion this morning to examine the defects suggested by the Senator from Connecticut [Mr. HAWLEY], and those defects are absolute. The conference report cannot be adopted, because those defects are such as that some of the sections have no meaning whatever, and so the report must be rejected. As I understand the Senator from Connecticut, it is his desire to have these corrections made, then bring the report back here with the corrections, and then have the report printed not only in the form of a report, but also to have the bill printed so as to show what the report contains. Then, of course, the whole report will be open to the consideration of the Senate.

Mr. LODGE. It is just at that point that I want to ask the Senator from Iowa a question. He says this report should be rejected in order to send it back to the conference committee with instructions to make certain corrections—

Mr. ALLISON. No instruction; certainly not.

Mr. LODGE. But to make certain corrections the report must be sent back to the conferees. It may be desired by members of the Senate to make other corrections, and I do not see why we should be debarred from that right.

Mr. ALLISON. The Senator from Massachusetts will see that it is impossible for the Senate to make any corrections in the report. It must be accepted or rejected as a whole.

Mr. LODGE. But, Mr. President, we can disagree to the report and reject it as a whole, as is proposed, and send it back with instructions.

Mr. ALLISON. That would be unusual.

Mr. TELLER. We can indicate to the committee what our objections are to the report and why we will not accept it. That has been done in the past. Then the committee may act upon that or they may come back here without doing so, if they see fit.

Mr. LODGE. Precisely.

Mr. TELLER. That is what we claim as a matter of right.

Mr. LODGE. This report should be sent back with indications that certain things ought to be changed which the Senator from Connecticut [Mr. HAWLEY] pointed out. But we may want to see whether other things ought not to be changed, as the whole report will be again in conference.

Mr. ALLISON. I submit to the Senator from Massachusetts if it is a wise thing now for us to enter upon a discussion of the whole scope of the conference report when the conferees themselves are not able to present their scheme to us or the changes they have made.

Mr. TELLER. They do present their report.

Mr. LODGE. The report has been presented to us.

Mr. TELLER. They present their scheme with some simple verbal mistakes; but we can consider other things contained in the report; and if we ought not to accept the report for other reasons than those which have been given by the committee, we can so indicate to the committee.

Mr. ALLISON. I only desire to facilitate the consideration of the conference report; but if it be deemed necessary to enter into a discussion now, I do not know that anybody can help it.

Mr. McCOMAS. Mr. President—

Mr. HAWLEY. I hope the Senate will reject the report.

Mr. McCOMAS. I yield to the chairman of the committee.

Mr. HAWLEY. I hope the Senate will reject the report because I am assured that in less than two hours we shall have the reprint submitted here. I certainly shall not press the consideration of the report to-day, Senators not having had any opportunity to read it.

Mr. McCOMAS. The Senator from Iowa [Mr. ALLISON] has said that we have the advantage of the printing of the scheme of the conference committee in the RECORD in the proceedings of the other House. Those, after being examined, give me all the greater desire to see and to have the Senate consider the agreement of the conference committee. If I am to take the RECORD, the Senate and House conferees have assumed to take into conference and dispose of a proposition voted upon in both Houses, in respect to the age limit of volunteers, and have, as I think, according to the record of the proceedings in the House, contrary to the instructions of both Houses, put into conference that which by parliamentary law is not in conference, and have made, as I understand, propositions in the conference report in direct opposition to the votes of both Houses.

For that reason, as well as for other reasons, it seems to me there may be matters of substance to be considered in this conference report, and it may be the purpose, as it ought to be the opportunity, of the Senate to correct matters of substance where the conferees desire to correct matters of form. I therefore insist that it is our right that this matter should come before the Senate for examination, inspection, and consideration. Nothing more important is pending here.

Mr. HAWLEY. The reprint will certainly come back in a very short time, when the conferees can easily get together and make the corrections. You will then have before you—they are themselves of very little importance—the whole of the matter in convenient printed form. I am anxious to hurry it.

Mr. McCOMAS. I should like the Senator from Connecticut to tell me as to the removal of the age limit with respect to volunteers, which was passed upon in both Houses—whether that was stricken out by the conferees in opposition to the votes of both Houses.

Mr. HAWLEY. I understand that we made no changes whatever, outside of what was agreed upon by the Senate and the House.

Mr. McCOMAS. If no changes have been made, I think the conference report ought to be so framed that a man of average intelligence might understand it, because, from the statement of the House conferees in the RECORD, and from the report of the conference committee, what I have stated seems to be precisely the case—that the conferees have inserted matter which was not in conference and have reversed the decision of both Houses in their report.

Mr. CHANDLER. What is now proposed is not that these few amendments which the committee desires to make shall be reprinted and then that the Senate act immediately. It is not so small a matter as the Senator from Connecticut [Mr. HAWLEY] suggests. If we reject this report, it goes to the conference committee again; then, if the committee agree, the conference report must be adopted in the House before we can take it up. Is there any doubt about that? Not in the least, Mr. President.

Now, to correct a few petty errors it is not necessary to do anything of the character which has been suggested. The Senate yesterday ordered this bill to be printed. It ought to have been here to-day, and the conference report ought to have been here to-day; then we could have discussed the question of recommitting it; and if it is to be recommitted, it can be recommitted for the purpose of correcting matters of substance as well as matters of form. But there is not the slightest reason, in my judgment, for delaying action upon the bill, which we all want to dispose of, by compelling the House of Representatives once more to act upon a conference report before the Senate begins to discuss it.

The PRESIDENT pro tempore. Will the Senate agree to the conference report? [Putting the question.]

Mr. LODGE. Mr. President—

The PRESIDENT pro tempore. By the sound the "noes" have it.

Mr. LODGE. Mr. President—

The PRESIDENT pro tempore. The Senator from Massachusetts.

Mr. PLATT of Connecticut. I ask for a division.

Mr. LODGE. And I ask for a division.

Mr. CHANDLER. I ask for the reading of the report, Mr. President.

Mr. PLATT of Connecticut. I asked for that some time ago.

Mr. LODGE. I supposed, Mr. President, the question was a question of consideration. I do not see why we should be cut off.

The PRESIDENT pro tempore. The report of the conference committee will be read.

The Secretary read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the amendment of the House to the bill (S. 4300) to increase the efficiency of the military establishment of the United States having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments to the amendment of the House numbered 3, 8, 9, 10, 12, 13, 14, 15, 27, 28, 30, 68, 67, 69, 70, 87, and 114.

That the House recede from its disagreement to the amendments of the Senate to the amendment of the House numbered 1, 2, 4, 5, 6, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 29, 31, 33, 34, 35, 36, 37, 38, 39, 40, 41, 43, 44, 51, 52, 56, 57, 58, 59, 60, 61, 63, 65, 68, 71, 73, 74, 78, 80, 83, 84, 85, 86, 88, 90, 91, 92, 94, 95, 96, 97, 99, 100, 101, 103, 104, 106, 108, 109, 110, 111, 112, 113, 115, and agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7 to the amendment of the House, and agree to the same with an amendment as follows: On page 2, section 2, line 10, strike out "1 color sergeant" and insert in lieu thereof the following: "2 color sergeants;" and the Senate agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11 to the amendment of the House, and agree to the same with an amendment as follows: Restore the matter stricken out amended as follows: On page 4, line 9, strike out "an inspector" and insert in lieu thereof "a chief;" on page 4, section 6, line 14, strike out "inspector of the" and insert in lieu thereof "chief of;" on page 4, section 6, line 15, strike out "eighty-two" and insert in lieu thereof "ninety-five;" on page 4, section 6, line 16, strike out "ninety-eight" and insert in lieu thereof "ninety-five;" on page 4, section 6, line 17, strike out "ninety-two" and insert in lieu thereof "ninety-five;" and the Senate agree to the same.

Amendment numbered 32: That the House recede from its disagreement to the amendment of the Senate numbered 32 to the amendment of the House, and agree to the same with an amendment as follows: On page 9, section 9, line 1, after the words "major-general," strike out "during the service of the present incumbent of the office and with the rank of brigadier-general thereafter" and insert in lieu thereof "and when a vacancy shall occur in the office of Adjutant-General on the expiration of the service of the present incumbent, by retirement or otherwise, the Adjutant-General shall thereafter have the rank and pay of a brigadier-general;" and the Senate agree to the same.

Amendment numbered 42: That the House recede from its disagreement to the amendment of the Senate numbered 42 to the amendment of the House, and agree to the same with an amendment as follows: At the end of said section insert the following: "or of persons from civil life who at date of appointment are not over 35 years of age and who shall pass a satisfactory examination to be prescribed by the Secretary of War;" and the Senate agree to the same.

Amendment numbered 45: That the House recede from its disagreement to the amendment of the Senate numbered 45 to the amendment of the House, and agree to the same with an amendment, as follows: On page 11, section 12, line 1, strike out "quartermasters," and insert in lieu thereof "assistant quartermasters-general;" and the Senate agree to the same.

Amendment numbered 46: That the House recede from its disagreement to the amendment of the Senate numbered 46 to the amendment of the House, and agree to the same with an amendment as follows: On page 11, section 12, line 2, strike out "quartermasters" and insert in lieu thereof "deputy quartermasters-general;" and the Senate agree to the same.

Amendment numbered 47: That the House recede from its disagreement to the amendment of the Senate numbered 47 to the amendment of the House, and agree to the same with an amendment as follows: On page 11, section 12, line 3, in lieu of the number proposed by said Senate amendment insert "twenty;" and the Senate agree to the same.

Amendment numbered 48: That the House recede from its disagreement to the amendment of the Senate numbered 48 to the amendment of the House, and agree to the same with an amendment as follows: On page 11, section 12, line 3, in lieu of the number proposed by said Senate amendment insert "sixty;" and the Senate agree to the same.

Amendment numbered 49: That the House recede from its disagreement to the amendment of the Senate numbered 49 to the amendment of the House, and agree to the same with an amendment as follows: On page 11, section 12, line 10, after the word "fill" insert "original;" on page 11, section 12, line 12, after the word "appoint" strike out "persons who have, at any time, served as volunteers subsequent to," and insert in lieu thereof "officers of volunteers commissioned in the Quartermaster's Department since;" on page 11, section 12, line 13, after the word "ninety-eight" insert "Provided further, That the President is authorized to continue in service, during the present emergency, for duty in the Philippine Islands and on transports, 24 captains and assistant quartermasters of volunteers. This authority shall extend only for the period when their services shall be absolutely necessary;" and the Senate agree to the same.

Amendment numbered 50: That the House recede from its disagreement to the amendment of the Senate numbered 50 to the amendment of the House, and agree to the same with an amendment as follows: On page 11, section 13, line 16, after the word "three" strike out "commissaries" and insert in lieu thereof "assistant commissaries-general;" on page 11, section 13, line 16, after the word "four" strike out "commissaries" and insert in lieu thereof "deputy commissaries-general;" and the Senate agree to the same.

Amendment numbered 53: That the House recede from its disagreement to the amendment of the Senate numbered 53 to the amendment of the House, and agree to the same with an amendment as follows: On page 11, section 13, line 24, after the word "fill," insert "original;" on page 12, section 13, line 1, after the word "appoint," strike out the words "persons who have at any time served as volunteers subsequent to" and in lieu thereof insert the following: "officers of volunteers commissioned in the Subsistence Department since;" and the Senate agree to the same.

Amendment numbered 54: That the House recede from its disagreement to the amendment of the Senate numbered 54 to the amendment of the House, and agree to the same with an amendment as follows: On page 12, section 14, line 6, strike out the first word of said line, "surgeons," and insert in lieu thereof "assistant surgeons-general;" on page 12, section 14, line 6, after the word "twelve," strike out "surgeons" and insert in lieu thereof "deputy surgeons-general;" and the Senate agree to the same.

Amendment numbered 55: That the House recede from its disagreement to the amendment of the Senate numbered 55 to the amendment of the House, and agree to the same with an amendment as follows: On page 13, section 14, line 5, after the word "captain," insert "mounted;" on page 13, section 14, line 9, after the word "necessary," insert: "Provided further, That assistant surgeons in the Volunteer Army of the United States commissioned by the President as captains, in accordance with the provisions of an act for increasing the efficiency of the Army of the United States, and for other purposes, approved March 2, 1899, shall be entitled to the pay of a 'captain, mounted,' from the date of their acceptance of such commission, as prescribed by law;" and the Senate agree to the same.

Amendment numbered 62: That the House recede from its disagreement to the amendment of the Senate numbered 62 to the amendment of the House,

and agree to the same with an amendment as follows: On page 18, section 17, line 19, strike out the first word of said line, "paymasters," and insert in lieu thereof "assistant paymasters-general;" and the Senate agree to the same.

Amendment numbered 64: That the House recede from its disagreement to the amendment of the Senate numbered 64 to the amendment of the House, and agree to the same with an amendment as follows: On page 18, section 17, line 20, strike out "paymasters" and insert in lieu thereof "deputy paymasters-general;" and the Senate agree to the same.

Amendment numbered 72: That the House recede from its disagreement to the amendment of the Senate numbered 72 to the amendment of the House, and agree to the same with an amendment as follows: On page 18, section 19, line 12, after the word "shall," insert "as far as possible;" on page 18, section 19, line 12, after the word "promotion," strike out "and appointment" and insert in lieu thereof "according to seniority;" and the Senate agree to the same.

Amendment numbered 75: That the House recede from its disagreement to the amendment of the Senate numbered 75 to the amendment of the House, and agree to the same with an amendment as follows: On page 18, section 20, line 16, in lieu of the number proposed by said Senate amendment, insert "four."

Amendment numbered 76: That the House recede from its disagreement to the amendment of the Senate numbered 76 to the amendment of the House, and agree to the same with an amendment as follows: On page 18, section 20, line 16, in lieu of the number proposed by said Senate amendment, insert "fourteen;" and the Senate agree to the same.

Amendment numbered 77: That the House recede from its disagreement to the amendment of the Senate numbered 77 to the amendment of the House, and agree to the same with an amendment as follows: On page 18, section 20, line 16, in lieu of the number proposed by said Senate amendment, insert "fourteen."

Amendment numbered 79: That the House recede from its disagreement to the amendment of the Senate numbered 79 to the amendment of the House, and agree to the same with an amendment as follows: On page 19, section 20, line 2, after the word "ninety-eight," strike out "but no such person shall be appointed until he shall have passed a satisfactory examination as to his physical, moral, and professional qualifications, and no person not now or previously in the Regular Army shall be appointed to the grade of captain or first lieutenant in the Signal Corps after he shall have reached the age of 40 years," and amend the proviso at the end of said section to read as follows: "Provided, That the President is authorized to continue in service during the present emergency, for duty in the Philippine Islands, five volunteer signal officers with the rank of first lieutenant and five volunteer signal officers with the rank of second lieutenant. This authority shall extend only for the period when their services may be absolutely necessary."

Amendment numbered 81: That the House recede from its disagreement to the amendment of the Senate numbered 81 to the amendment of the House, and agree to the same with an amendment as follows: On page 19, section 22, line 13, after the words "Signal Corps," insert the following: "Including those appointed to original vacancies in the grades of captain and first lieutenant under the provisions of sections 12, 13, 17, and 20 of this act."

Amendment numbered 82: That the House recede from its disagreement to the amendment of the Senate numbered 82 to the amendment of the House, and agree to the same with an amendment as follows: In line 11 of said amendment, after the word "corps," insert "after the original vacancies created by this act shall have been filled." In line 16 of said amendment strike out "unless sooner relieved."

Amendment numbered 89: That the House recede from its disagreement to the amendment of the Senate numbered 89 to the amendment of the House, and agree to the same with an amendment as follows: Strike out all of the matter inserted by said amendment and insert in lieu thereof the following:

"Persons not over 40 years of age who shall have at any time served as volunteers subsequent to April 21, 1898, may be ordered before boards of officers for such examination as may be prescribed by the Secretary of War, and those who establish their fitness before these examining boards may be appointed to the grades of first or second lieutenant in the Regular Army, taking rank in the respective grades according to seniority, as determined by length of prior commissioned service; but no person appointed under the provisions of this section shall be placed above another in the same grade with longer commissioned service, and nothing herein contained shall change the relative rank of officers heretofore commissioned in the Regular Army. "Enlisted men of the Regular Army or Volunteers may be appointed second lieutenants in the Regular Army to vacancies created by this act: *Provided*, That they shall have served one year under the same conditions now authorized by law for enlisted men of the Regular Army."

Amendment numbered 93: That the House recede from its disagreement to the amendment of the Senate numbered 93 to the amendment of the House, and agree to the same with an amendment as follows: On page 24, section 26, line 13, after the word "may," insert "upon his own application,"; and the Senate agree to the same.

Amendment numbered 98: That the House recede from its disagreement to the amendment of the Senate numbered 98 to the amendment of the House, and agree to the same with an amendment as follows: In line 3 of said amendment, after the word "and," insert "by and with the advice and consent of the Senate,"; and the Senate agree to the same.

Amendment numbered 102: That the House recede from its disagreement to the amendment of the Senate numbered 102 to the amendment of the House, and agree to the same with an amendment as follows: Restore all of the matter stricken out by said amendment, amended to read as follows:

"That the Secretary of War be, and he is hereby, authorized and directed to cause preliminary examinations and surveys to be made for the purpose of selecting four sites with a view to the establishment of permanent camp grounds for instruction of troops of the Regular Army and National Guard, with estimates of the cost of the sites and their equipment with all modern appliances, and for this purpose is authorized to detail such officers of the Army as may be necessary to carry on the preliminary work; and the sum of \$10,000 is hereby appropriated for the necessary expense of such work, to be disbursed under the direction of the Secretary of War: *Provided*, That the Secretary of War shall report to Congress the result of such examination and surveys, and no contract for said sites shall be made nor any obligation incurred until Congress shall approve such selections and appropriate the money therefor."

And the Senate agree to the same.

Amendment numbered 103: That the House recede from its disagreement to the amendment of the Senate numbered 103, to the amendment of the House, and agree to the same with an amendment as follows: On page 27, section 31, line 10, after the word "companies," strike out the word "shall" and insert in lieu thereof "may;" and the Senate agree to the same.

Amendment numbered 105: That the House recede from its disagreement to the amendment of the Senate numbered 105, to the amendment of the House, and agree to the same with an amendment as follows: On page 27, section 31, line 14, after the word "volunteers," strike out: "during or since the war with Spain," and insert in lieu thereof: "subsequent to April 21, 1898;" and the Senate agree to the same.

Amendment numbered 107: That the House recede from its disagreement to the amendment of the Senate numbered 107 to the amendment of the House, and agree to the same with an amendment as follows: On page 28, section 32, line 12, after the word "island," insert "as far as practicable;" and the Senate agree to the same.

JOS. R. HAWLEY,
REDFIELD PROCTOR,
F. M. COCKRELL,

Managers on the part of the Senate.

J. A. T. HULL,
W. P. BROWNLOW,
JAMES HAY,

Managers on the part of the House.

Mr. LODGE. I should like to ask if the conference report is now open to discussion?

The PRESIDENT pro tempore. It is not, if any Senator raises the question of consideration.

Mr. LODGE. But if the question of consideration is not raised, is it now open to discussion?

The PRESIDENT pro tempore. In the opinion of the Chair, it is.

Mr. LODGE. Mr. President, I do not want to raise the question of consideration if we can come to some arrangement about seeing the bill. The bill with the errors in it passed the House. It is now in print. If I am correctly informed, that print is in the room of the Committee on Military Affairs. I want to see the print with the errors. The errors will not mislead anybody, but it is impossible, as anyone can see, for us to discuss intelligently a conference report unless we have the print before us. I hope the committee will allow the bill to go over for the present—at least until we can get that print.

Mr. HAWLEY. I have sent for a sufficient number of the bills containing the errors to give one to each Senator. We have them in the building. Then I shall move that the report be rejected. If it is not, it can go over, so far as I am concerned.

Mr. BATE. We can not understand what the Senator from Connecticut is saying.

Mr. LODGE. I understand that the print to which I have referred has been sent for and that it is to be laid upon our desks. In that case I do not desire to raise the question of consideration or to do anything to delay the consideration of the report. But I should like time—and I think other Senators would like opportunity—to look at the bill before action is taken upon the conference report. The bill is not yet here. If some time could be fixed for taking it up this afternoon, it would be satisfactory.

Mr. HAWLEY. If the Senator from Massachusetts will permit me to interrupt him, I will state that I can promise him that I will not endeavor to crowd the bill against the general wishes of the Senate. I have no objection to time being given, except the general public consideration which leads me to hope that the bill will be speedily disposed of.

Mr. BURROWS. Let me suggest to the Senator, then, why would it not be well to let the report be printed, as it will be in the RECORD, and the bill then can be examined in connection with the report, and the matter taken up on Monday morning. That would give every Senator an opportunity to examine it.

Mr. HAWLEY. I do not want the erroneous bill—

Mr. LODGE. The bill with the errors is the only one that can be examined.

Mr. BURROWS. The bill with the errors is the one upon which we are called on to act. Then let us take it up Monday, and it can be examined, and we can act intelligently.

Mr. LODGE. The bill which accompanies this report, I understand, is the bill with the errors, and no other bill can accompany it. The print must be the print of the bill with the errors. Therefore that is the only print we can see, and the errors must be corrected in it. All I desire is to have an opportunity to look at that bill before voting to disagree to the report.

The PRESIDENT pro tempore. If the Senator raised the question of consideration, it would be a question to be immediately submitted to the Senate whether or not it would proceed to consider the report now, and if the Senate declined to consider it now, then it would simply lie where it is.

Mr. HAWLEY. I ask unanimous consent that this matter may go over until Monday.

Mr. BURROWS. That will be all right.

The PRESIDENT pro tempore. The Senator from Connecticut asks unanimous consent that the conference report may lie on the table until Monday. Is there objection? The Chair hears none, and it is so ordered.

Mr. BUTLER. Has an order been made for the printing of the conference report?

The PRESIDENT pro tempore. The order was made yesterday.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. H. L. OVERSTREET, one of its clerks, announced that the House had passed the following bills:

A bill (S. 56) granting a pension to Sayer Jensen;

A bill (S. 1052) granting an increase of pension to Rachel Frisbey;

A bill (S. 1278) granting an increase of pension to F. W. Baker;

A bill (S. 1952) granting an increase of pension to Thomas J. Jackson;

A bill (S. 1978) granting an increase of pension to Ellis P. Phipps;

A bill (S. 2161) granting a pension to Eli F. Chittenden;

A bill (S. 2202) granting an increase of pension to Alvin N. Sabin;

A bill (S. 2776) granting an increase of pension to Pinnie L. Carr;

A bill (S. 2913) granting an increase of pension to William E. Ferree;

A bill (S. 3148) to correct the military record of William La-point;

A bill (S. 4086) granting an increase of pension to Thomas L. Turnipseed;

A bill (S. 4209) granting a pension to Mary Sanders;

A bill (S. 4276) granting an increase of pension to Joel Bowling; and

A bill (S. 4834) granting a pension to Otto Haltnorth.

The message also announced that the House had agreed to the concurrent resolution calling for an estimate of cost of removing obstructions at the mouth of Brunswick Harbor, North Carolina.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 12291) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1902, and for other purposes; asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. BINGHAM, Mr. HEMENWAY, and Mr. LIVINGSTON managers at the conference on the part of the House.

The message also announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 551) granting an increase of pension to Frank F. Carnduff;

A bill (H. R. 601) granting an increase of pension to Daniel W. Shaw;

A bill (H. R. 633) granting an increase of pension to Vianna Mallard;

A bill (H. R. 1148) granting an increase of pension to Isaac D. Toll;

A bill (H. R. 1566) granting a pension to Mary J. Connery;

A bill (H. R. 2396) granting an increase of pension to Francis H. Pike;

A bill (H. R. 2430) for the relief of Jacob L. Hanger, alias William T. Graham;

A bill (H. R. 3232) granting an increase of pension to David Flinn;

A bill (H. R. 3466) granting a pension to Hiram Stimple;

A bill (H. R. 3825) to grant an honorable discharge to Frederick A. Noeller;

A bill (H. R. 3945) granting an increase of pension to Burdette N. Cleaveland;

A bill (H. R. 4078) granting an increase of pension to John D. Allen;

A bill (H. R. 4672) granting a pension to James W. Boden;

A bill (H. R. 4906) granting a pension to Ellen Quinn;

A bill (H. R. 5195) granting an increase of pension to Jacob W. Kouts;

A bill (H. R. 5303) granting a pension to Julia A. Prouty;

A bill (H. R. 5409) for relief of Matthew T. Lewis;

A bill (H. R. 5612) for the relief of William Dugdale, postmaster at Norton Heights, Conn.;

A bill (H. R. 5613) granting an increase of pension to Louis Nessell;

A bill (H. R. 6145) granting a pension to Benoni A. McConnell;

A bill (H. R. 6319) granting an increase of pension to George W. Cox, alias John Smith;

A bill (H. R. 6914) granting an increase of pension to Elliott Loomis;

A bill (H. R. 6921) granting an increase of pension to Gustav Rienecker;

A bill (H. R. 7810) granting an increase of pension to Robert P. Currin;

A bill (H. R. 8001) granting a pension to Sampson D. Bridgman;

A bill (H. R. 8525) granting an increase of pension to Maurice Fitzgerald;

A bill (H. R. 8658) granting an increase of pension to Edwin G. Fay;

A bill (H. R. 8998) granting an increase of pension to Alexander F. Hartford;

A bill (H. R. 9182) granting a pension to Eva K. Nyberg;

A bill (H. R. 9235) granting a pension to Peter Lundberg;

A bill (H. R. 9536) granting a pension to Sarah Hastings, formerly Sarah Carter;

A bill (H. R. 9914) granting a pension to Almira A. Scott;

A bill (H. R. 10118) granting an increase of pension to Mary Flynn;

A bill (H. R. 10480) granting an increase of pension to George P. Overton;

A bill (H. R. 11312) granting an increase of pension to Johnson H. Fitzpatrick;

A bill (H. R. 11507) granting an increase of pension to Perry C. Jeffrey;

A bill (H. R. 11658) granting an increase of pension to Mary J. Nelson;

A bill (H. R. 11806) granting an increase of pension to Edward Hause;

A bill (H. R. 11836) granting an increase of pension to Bela Sawyer;

A bill (H. R. 12063) granting an increase of pension to Eugene M. Hawes;

A bill (H. R. 12190) granting an increase of pension to Patrick Connelly;

A bill (H. R. 12249) granting an increase of pension to Gideon Johnson;

A bill (H. R. 12258) granting a pension to John H. Doremus;

A bill (H. R. 12294) granting a pension to Lottie M. Rankins;

A bill (H. R. 12297) granting an increase of pension to Andrew J. Harbison;

A bill (H. R. 12301) granting an increase of pension to Jacob E. Swap;

A bill (H. R. 12350) granting an increase of pension to James Paul;

A bill (H. R. 12391) granting an increase of pension to James M. Campbell;

A bill (H. R. 12411) granting a pension to Catherine T. Howell;

A bill (H. R. 12415) granting an increase of pension to Carrie Otis Wallace;

A bill (H. R. 12444) granting an increase of pension to John D. Cohler;

A bill (H. R. 12476) granting an increase of pension to Samuel Minnich;

A bill (H. R. 12490) granting an increase of pension to Andrew J. West;

A bill (H. R. 12516) granting an increase of pension to Edward Warner;

A bill (H. R. 12577) granting a pension to Sarah B. Schaeffer;

A bill (H. R. 12566) granting a pension to George M. Walker;

A bill (H. R. 12616) granting an increase of pension to Nancy T. Hardy; and

A bill (H. R. 13705) making appropriations for the naval service for the fiscal year ending June 30, 1902, and for other purposes.

INDIAN APPROPRIATION BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12904) making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1902, and for other purposes.

The PRESIDENT pro tempore. The next amendment which has been passed over will be stated.

The SECRETARY. On page 54, beginning in line 2, it is proposed to insert:

Provided, That hereafter the Secretary of the Interior may, whenever the chief executive of the Choctaw or Chickasaw Nation fails or refuses to appoint a town-site commissioner for any town, or to fill any vacancy caused by the neglect or refusal of the town-site commissioner appointed by the chief executive of the Choctaw or Chickasaw Nation to qualify or act, in his discretion, appoint a commissioner to fill the vacancy thus created.

Mr. PETTIGREW. Mr. President, my objection to this amendment is an objection to the amendment and to the preceding paragraph, which continues this commission and appropriates a hundred and fifty thousand dollars for it.

It seems to me that a commission which has made the record that this commission has in wastefulness and incompetency ought to be abolished, and therefore we ought to provide that the towns themselves may make the surveys and that the appraisement shall be made by the Secretary of the Interior, through an inspector, and the sales consummated. There are about eighty towns to be disposed of in these two nations. Most of them are small towns.

Mr. THURSTON. May I ask the Senator if he thinks it would be a fair proposition to the Indians themselves to take the matter of the appraisement into our own hands, through an Indian inspector, without permitting them to be represented on the board that made the appraisement?

Mr. PETTIGREW. The Indians refuse, I understand, and this amendment is for the purpose of taking it out of their hands and allowing the Secretary of the Interior to choose the other member of the board.

Mr. THURSTON. They refuse only in some cases. For the most part they are not refusing.

Mr. PETTIGREW. I understand that the letter which the Senator read is from the chief of the tribe which in itself embraces one-half of all the towns, and I understand the other chief has also refused. Therefore, under the amendment, we are taking it out of the hands of the Indians, and they have no part or voice in it at all. We are not only taking it out of the hands of the Indians under this amendment, but we are putting it into the hands of an irresponsible commission, who have shown their incompetency by spending \$4,000 to survey and appraise a town that sold for \$5,000.

With respect to one of the commissions, I may say that the first town they platted they named after one of the commissioners who went out from Ohio and of course had autocratic tendencies born in him. The first town which he platted he named after himself, and yet it is proposed to perpetuate that commission and give it a hundred and fifty thousand dollars to fool away this summer.

I say, Mr. President, that these towns, most of them varying in population from 200 to 800, and the greater number of them nearer 200 in population than 800, ought to be surveyed and appraised and disposed of to the greater satisfaction of the Indians for \$20,000 instead of a hundred and fifty thousand dollars. My objection, therefore, is to continuing the commission which has shown its incompetency and improvidence. If the chairman of the committee will accept an amendment to allow the people of those towns to make the surveys and the Secretary of the Interior, through his inspectors, to make the appraisement and dispose of the lots, I shall not care to continue the discussion further; but I object to the continuation of the commission which by the official records has shown itself not only to be improvident, if not dishonest, but absolutely incompetent to do the work.

Mr. President, I am well aware that a hundred and fifty thousand dollars is a very small sum; but when the work can be better done for \$20,000, and there is not a particle of doubt about it, why should we appropriate a hundred and fifty thousand to perpetuate a commission which is incompetent? I have heard no reply to that, nor have I heard any answer to this official report, which shows their absolute incompetency and unfitness for the work.

Mr. THURSTON. Mr. President, the entire criticism of the Senator from South Dakota has been directed against the official action of the first general board that was appointed for one of the nations. As was fully explained on the floor yesterday, the legislation enacted last year in the Indian appropriation act provided for separate commissions to appraise the value of each town, vesting full authority in the Secretary to limit the time within which the appraisement should be made, and placing full power in his hands to prevent any unnecessary or extravagant expenditure of money. We also provided that the towns themselves might survey and plat, thereby expediting matters and relieving the Government from that portion of the expense. I think the legislation up to that point is perfect, or as perfect as any governmental machinery can be made.

The suggestion is, that if the nations refused to participate in the appraisement, an Indian inspector shall make the appraisement. I do not believe in that. I think the appraisements ought to be made in some other way.

Mr. PLATT of Connecticut. Will the Senator from Nebraska allow me?

Mr. THURSTON. Certainly.

Mr. PLATT of Connecticut. The proposition is very much broader than that. It is that we do away with the town-site commission entirely—

Mr. THURSTON. Certainly.

Mr. PLATT of Connecticut. Whether the Indians refuse to appoint or not; to put it all in the hands of an inspector to appraise the lots which belong to the Indians.

Mr. PETTIGREW. I should like to call the attention of the chairman to the provision in the bill to which I am objecting. He does not seem to have noticed the date—

To pay all expenses incident to the survey, platting, and appraisement of town sites in the Choctaw, Chickasaw, Creek, and Cherokee nations, Indian Territory, as required by sections 15 and 20 of an act entitled "An act for the protection of the people of the Indian Territory, and for other purposes," approved June 28, 1898—

Not the law passed last year at all, but under the act of 1898—

One hundred and fifty thousand dollars.

It is proposed to perpetuate the old commission. I have criticized that commission for its work last year, and have shown what it did last year. I say it is incompetent, if not dishonest, and ought to be abolished.

Mr. THURSTON. I am glad the Senator has called my attention to the form of the bill, as we did not notice it in committee. It is in the form as it came to us from the House. I am satisfied that an amendment ought to be made to include the last appropriation act.

Mr. PLATT of Connecticut. Say, "and amendments thereto."

Mr. PETTIGREW. It would help it a great deal if it were put

under the recent acts on this subject. I supposed that the Senator understood what I was contending against.

Mr. THURSTON. No. I think it should be put under both acts.

Mr. PETTIGREW. I read from the inspector's report for the year 1900, an official report, showing what the commissioners were doing. It seems to me it is a legitimate subject for discussion until it is properly settled.

The PRESIDING OFFICER (Mr. PERKINS in the chair). The question is on agreeing to the amendment of the committee as modified.

Mr. THURSTON. I have not yet modified the amendment. If the amendment is agreed to as it stands, I will prepare the necessary amendment to include the last appropriation act.

Mr. PETTIGREW. Very well.

Mr. THURSTON. I will offer it later. Then, the question is on agreeing to the committee amendment as amended.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee as amended.

The amendment as amended was agreed to.

The PRESIDING OFFICER. The next amendment which has been passed over will be stated.

The SECRETARY. On page 45, after line 21, it is proposed to insert:

That the agreement entered into between the Seneca Nation of Indians, in council assembled, and J. W. Peglow, of Silver Creek, Chataqua County, N. Y., on the 11th day of October, 1900, granting to said Peglow the right of excavating and removing sand from the premises described in said agreement, be, and the same is hereby, ratified and confirmed.

Mr. THURSTON. After a consultation with the Senator from South Dakota, I understand he withdraws his objection to present agreement as to that amendment, with the understanding that the new information concerning the lease of the Seneca Indians will be taken up by the conference committee and careful consideration be given to it and the legislation that is reported by the conference committee, based upon the information which is presented to it.

Mr. PETTIGREW. With the understanding that if it is found that people are living upon the ground—Indians, as I am informed—who have resided there forty years, the conference will protect their interests, I shall not object to that disposal of the matter.

Mr. THURSTON. I will promise that whatever the action of the conference committee is, it will be reported and presented in such shape that the Senator can have full opportunity, if there is further objection to the amendment, to insist upon it.

The PRESIDING OFFICER. The question is on agreeing to the amendment as proposed by the committee.

The amendment was agreed to.

Mr. JONES of Arkansas. I desire to call the attention of the chairman of the committee to a matter in connection with the Indian appropriation bill which I have overlooked. There are two additional inspectors provided for in the bill, who are intended and expected to do a certain class of work indicated by the bill. This bill will not be operative until the 1st of July. Unless there is a provision in the bill that the appropriation for these two extra inspectors shall become immediately available, they will not be available until the 1st of July, and I suggest that such an amendment ought to be made.

Mr. THURSTON. I will prepare an amendment and submit it shortly.

The PRESIDING OFFICER. The Secretary will state the next amendment passed over temporarily.

The SECRETARY. On page 46, after line 3, it is proposed to insert:

For completing the necessary preliminary investigations and plans and estimates of cost in detail for the construction of a dam across the Gila River near San Carlos, Ariz., for storing the flood waters of the Gila River, the waters so stored to be used, first, for the benefit of the Pima, Papago, and Maricopa Indians for irrigating the lands of the Gila River Reservation, the stored water in excess of the needs of the Indians to be used for reclaiming and irrigating vacant public lands; and also for acquiring and preparing the dam site and for continuing the measurement of the daily flow of water in the Gila River, and for surveying and locating and preparing plans and estimates of cost of construction, with Indian labor, of the necessary canals for carrying the water from said reservoir to the lands to be irrigated on the said Indian reservation, and investigating the amount of water necessary to be reserved for the use of the said Indians, and for examining, surveying, and designating the vacant public lands which could be irrigated with the stored water from said reservoir in excess of the needs of the Indians, and in preparing the plans and estimates for the construction of said reservoirs and canals, with detailed reasons therefor, and giving as accurate an estimate as possible of the total amount which could be received from the sale of the land irrigated to actual settlers, with the facts and circumstances upon which such estimate is based, the sum of \$100,000, or so much thereof as may be necessary, the same to be expended under the direction of the Secretary of the Interior: *Provided*, That for all unskilled labor required Indians shall be employed so far as practicable. And the Secretary of the Interior is hereby directed to reserve from entry and settlement all unappropriated lands within townships 3, 4, 5, 6, and 7 south, ranges 8, 9, and 10 east, of Gila and Salt River meridian, until the examination, survey, and designation of irrigable lands hereinbefore provided for shall have been completed, and upon the approval of such survey and designation by the Secretary of the Interior the lands not designated as irrigable shall be restored to entry and settlement.

Mr. PLATT of Connecticut. Mr. President, I am opposed to this amendment, and I am very much embarrassed that I am obliged to discuss it in a thin Senate, for I think it is an amendment which deserves the consideration of every Senator; that it involves a new policy in the history of the United States, and commits the Government to immense expenditures in the future for the carrying out of that policy. I am embarrassed, in the second place, because at this stage of a short session, with all the business pressing, I do not feel that I can take the time to thoroughly explain this matter to the Senate and must therefore be brief in my presentation of it.

There is an Indian reservation in Arizona. It is called generally the Pima Indian Reservation. That is not the technical name of it. It is inhabited by Pima Indians, Maricopa Indians, and the Papago Indians. There are a portion of the tribe, called the wandering Papago Indians, who do not live on the reservation, but wander about. All the Indians on the reservation number perhaps 5,000. The Pima Indians have been irrigating Indians from time immemorial, and have supported themselves largely by agriculture under irrigation.

The Gila River is a long river in Arizona, and settlers have gone to the upper portion of the river and taken the water out for irrigation purposes. They have taken up their lands under the Government laws. They have diverted the water, I suppose, legally. That is to say, there has been no opportunity for these Indians to contest their right to the appropriation of water at the head of the river. The result has been that these Indians have been deprived largely of the water which they formerly used, and there is not enough water there now available to irrigate their reservation sufficiently so that all of them can be employed in farming by reason of such irrigation.

About 1,500 of the Indians are irrigating their lands, taking the water from the underflow of the river, and probably about two or three thousand who would otherwise irrigate are unable to obtain the water. The Government ought at any practicable cost to supply water to this reservation for the benefit of the Indians. That is conceded. This amendment ostensibly is framed for that purpose; but really it is framed for the purpose of committing the Government to the policy of national irrigation. I do not think that is denied by those who are in favor of the amendment. For myself—and I have given this matter no little study—I believe that the Indians can be supplied with all the water which they need for irrigating lands upon their reservation without resorting to the expense of building this dam 130 miles, I believe it is, above their reservation on the river for the purpose of storing the water, so that their reservation may be supplied and that some two or three hundred thousand acres of Government land can be irrigated also.

I do not think that this proposition would be for a moment considered by the Senate if it was a proposition to irrigate only these Indian lands. I do not think that the Senate would accept this amendment if it were a proposition to enter upon a policy of the Government to build reservoirs for the purpose of irrigating arid lands. I do not wish to discuss that policy at the present time. If it is to be entered upon, it should be entered upon after a very great, careful, minute, and detailed examination of the circumstances and the provisions under which such irrigation is to take place.

But two classes of people are working together to secure this amendment. I have not much to say about lobbies, Mr. President. I do not think they are the worst things in the world. And when I speak of a lobby I do not speak of a money-paid lobby. But I believe there is no matter before Congress that has had as efficient a lobby as this proposed measure. The sympathy of people who want to protect the Indians and to do everything that the Government ought to do for them has been worked upon so that all the friends of the Indians, as they call themselves, are urging Senators to go for this plan, without any idea of its cost, without any idea what it commits the Government to, simply for the irrigation of the lands of these Indians. The National Irrigation Association and its authorized agents and the Geological Survey are urging this appropriation for the purpose of committing the Government to the scheme of national irrigation, and the two working together are brought to bear upon Congress—the humanitarian sentiment in favor of the Indians and the irrigation sentiment of the country, which believes that the Government ought to commence the irrigation of arid lands.

I recognize, Mr. President, the difficulty of contending against such a lobby, but I wish to do my duty in the matter. I wish to say that I do not believe it is necessary in order to irrigate the reservation to build this dam at San Carlos, at an estimated expense of over a million of dollars, not including the method of getting the water to the reservation, 130 miles, and not including the other reservoirs which the report which has been made from the Geological Survey says will, in a few years, undoubtedly, have to be built when this reservoir shall have been filled up by silt and sand and solids. This plan, from all the observation and study which I can give it, involves, in my judgment, an expenditure by

the Government of between three and four million dollars upon the proposition to supply the reservation with irrigation so that the Indians may be self-supporting on the reservation.

I do not propose to go at this time into the details with regard to this work. I must confine myself to a general discussion of it. This dam at San Carlos, as I have said, is 130 miles, or thereabouts, above the reservation. It is recommended by the Geological Survey in Bulletin 33 of the irrigation papers of the Geological Survey. This is the thirty-third paper which the Geological Survey have inflicted upon Congress in pursuance of their determination that the Government shall engage in the business of national irrigation. Only a few years ago they recommended a reservoir very much nearer this point than the San Carlos Reservation. They recommended it in a report to Congress just as emphatic, in just as much detail, and in all respects it was as much advocated and recommended as they do now a dam at the San Carlos Reservation.

They say now that their former report of a dam at Buttes, on the river, which I think was some 30 miles above—I may not get these distances accurately—was impracticable. They come here in 1896 with their same project of supplying this little Indian reservation and irrigating a great tract of Government land in addition, and proposed to build a great reservoir at the Buttes, and here is their report. Now four years afterwards they come here and say the dam recommended in their former report is entirely impracticable, because they had to go 62 feet to get to bed rock, and they show in this report that they have got to go 74 feet to get to bed rock at the San Carlos dam. They come discarding their former report as an impracticable thing and now ask Congress to accept their report for their new scheme 100 mile farther up the river, where they have got to go deeper to find bed rock than they had at the Buttes, where they decided that it was impracticable to build a dam on account of the great depth of the bed rock.

There has been nothing done yet which shows that this scheme is at all practicable, that the Government ought to be committed to it; and recognizing that fact, they have now proposed an amendment providing for further examination and further investigation and further experimental work, but they have proposed it in a manner which does and which is intended to commit the Government to the enterprise and also to the policy, as I have said, of irrigating lands for the benefit of settlers wherever the arid lands exist and wherever water can be stored in reservoirs.

Now let us examine this very carefully and skillfully drawn amendment. Bear in mind that I have said I believe that this reservation can be irrigated so that every Indian upon it will have the opportunity to pursue agriculture there without going to this expense. I shall later advert to the scheme proposed for that purpose and recommended by the irrigation engineer of the Indian Bureau. It shows conclusively to my mind that this great expense of two or three million dollars is unnecessary for the purpose of irrigating this Indian reservation. But this amendment is drawn as if there were no other plan contemplated or that could be contemplated.

The PRESIDING OFFICER. The Chair will ask the Senator from Connecticut to suspend for a moment while he places before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (S. 727) to promote the commerce and increase the foreign trade of the United States, and to provide auxiliary cruisers, transports, and seamen for Government use when necessary.

Mr. THURSTON. I ask unanimous consent that the unfinished business may be temporarily laid aside and that the Senate shall resume the consideration of the Indian appropriation bill.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Nebraska? The Chair hears none. The Senator from Connecticut will proceed.

Mr. PLATT of Connecticut. Now, let us see how skillfully this amendment is drawn for the purpose, for the primary purpose, for which it is presented here, the incidental purpose being to supply some water to this Indian reservation.

The Senator who reads this amendment would never be informed and would never suspect that there was any other possible means of supplying those Indians with water upon their reservation. The amendment barely escapes being obnoxious to a point of order. It is by a fiction that it escapes it. It appropriates \$100,000, and proceeds to legislate into effect a new policy of the Government, which in twenty years from this time will cost the Government annually, in my judgment, more than our river and harbor bills cost. It carefully, sedulously, laboriously—and I will not use a harsher term—excludes the possibility of making any investigation to determine whether that reservation can be irrigated at comparatively little expense, shuts out all possibility of that investigation, but simply proposes to investigate the method by which this policy of national irrigation is to be put in operation.

For completing the necessary preliminary investigations and plans and estimates of cost in detail for the construction of a dam across the Gila River near San Carlos, Ariz., for storing the flood waters of the Gila River, the waters so stored to be used, first, for the benefit of the Pima, Papago, and Maricopa Indians for irrigating the lands of the Gila River Reservation.

Then this:

The stored water in excess of the needs of the Indians to be used for reclaiming and irrigating vacant public lands—

It does not require any particular sagacity to determine what the object of this amendment is—

The stored water in excess of the needs of the Indians to be used for reclaiming and irrigating vacant public lands; and also for acquiring and preparing the dam site—

It provides an investigation to determine whether a dam ought to be made there, but directs that the dam site shall be acquired—and I do not use the phrase with any profane significance, although I think I should be justified in doing so if I were not opposed to profanity—

and for continuing the measurement of the daily flow of water in the Gila River, and for surveying and locating and preparing plans and estimates of cost of construction, with Indian labor, of the necessary canals for carrying the water from said reservoir to the lands to be irrigated on the said Indian reservation—

There they threw in a little something about Indian labor. They are going to build this dam 130 miles away from the Indian reservation. There is a box canyon there through which water is to flow, so they will not want a ditch. Their report calls it a box canyon; but then they have got to take it out into a ditch which will be 30 miles long, more or less.

Mr. BEVERIDGE. Mr. President, will the Senator permit a question? The Senator, in speaking of means to be used for reclaiming and irrigating public lands, spoke of the purpose, apparently referring to a purpose not revealed in the words themselves. What purpose did the Senator have in mind for reclaiming and irrigating vacant public lands?

Mr. PLATT of Connecticut. I think the Senator must have misunderstood me. I think that is a very definite statement of the purpose.

Mr. BEVERIDGE. I think so, too, but I understood the Senator—

Mr. PLATT of Connecticut. That is what I intended to say. I may have been unfortunate in the use of language.

Mr. BEVERIDGE. But I understood the Senator to refer to some purpose that was concealed and not revealed by it.

Mr. PLATT of Connecticut. If I did, Mr. President, then I want to withdraw it. The purpose is bad enough as it is expressed:

And for surveying and locating and preparing plans and estimates of cost of construction, with Indian labor, of the necessary canals for carrying the water from said reservoir to the lands to be irrigated on the said Indian reservation, and investigating the amount of water necessary to be reserved for the use of the said Indians.

Now comes this—there is very little in here for the Indians, but a great deal for the National Irrigation Association—

and for examining, surveying, and designating the vacant public lands which could be irrigated with the stored water from said reservoir in excess of the needs of the Indians, and in preparing the plans and estimates for the construction of said reservoirs and canals, with detailed reasons therefor, and giving as accurate an estimate as possible of the total amount which could be received from the sale of the land irrigated to actual settlers, with the facts and circumstances upon which such estimate is based, the sum of \$100,000—

Now we come to the provision which is supposed to make this in order—

or so much thereof as may be necessary, the same to be expended under the direction of the Secretary of the Interior: *Provided*, That for all unskilled labor required Indians shall be employed so far as practicable.

One hundred and thirty miles away from the reservation! And now comes the final cat in the meal:

And the Secretary of the Interior is hereby directed to reserve from entry and settlement all unappropriated lands within townships 3, 4, 5, 6, and 7 south, ranges 8, 9, and 10 east, of Gila and Salt River meridian, until the examination, survey, and designation of irrigable lands hereinbefore provided for shall have been completed, and upon the approval of such survey and designation by the Secretary of the Interior the lands not designated as irrigable shall be restored to entry and settlement.

Mr. President, I think I am entirely justified in saying that this amendment excludes from the consideration of the Secretary of the Interior every other possible or suggested plan for the irrigation of the Indian reservation except the building of this tremendously expensive reservoir, 130 miles, more or less, above the reservation. And this is backed up by the report of the Geological Survey. I do not want to raise any question here about the operations of the Geological Survey. I am sorry that the junior Senator from Colorado [Mr. WOLCOTT] is not here. I think he would characterize it as another one of the outreaching methods and plans and policies of the Geological Survey for dominating the public interests and public policy of the country.

I suppose they have a right, Mr. President, to become partisans of this scheme for national irrigation. I suppose they have a right to go in company, so to speak, in partnership, with the National Irrigation Association, composed of men for whom I have an entire respect, to endeavor to push this policy upon Congress. But I submit that they have no right to attempt to push it upon Congress under the false pretense that it is for the humanitarian pur-

pose only or principally of irrigating lands for the benefit of some Indians.

Mr. SPOONER. Will the Senator allow me? Upon what theory does any bureau obtain authority, with any propriety, to push any scheme upon Congress?

Mr. PLATT of Connecticut. I do not know; but there is some law under which the Geological Survey in some appropriation act is authorized and directed to examine the question as to whether irrigation reservoirs can be made for the storing of water to irrigate public vacant lands. I have an impression that there is, and therefore I suppose that they are acting within their authority. But the fact is nevertheless true that they are as much partisans in their conduct as the National Irrigation Association itself.

Now, Mr. President, right here I should like to advert to another thing that comes up in connection with this matter. This scheme of national irrigation as advocated by its friends proposes that the Government shall recoup the expense to which it may be subjected in acquiring sites for the reservoirs throughout the country and in building the dams for the great reservoirs and the ditches to convey the water to the lands to be irrigated by selling the lands, with the idea that lands which are thus under Government irrigation will bring a large amount of money and enough to reimburse the Government for the amount which it shall expend in providing for the irrigation.

Well, that is a beautiful theory, Mr. President. But we have had some experience with such theories as those. We have been told for the last fifteen or twenty years that if we would expend large amounts of money to open Indian reservations that they might be opened to settlement, that then we could reimburse the Government by making the settlers pay for the lands thus settled upon the amount which we were obliged to pay the Indians. And so on that policy we went forward and spent \$35,000,000 to buy lands for the Indians, and we provided that the Government should recoup by making the settlers pay \$1.25 or \$2.50 an acre, or something of that sort. When all that was done, then came the proposition of a free-homes bill. We remitted everything which they had agreed to pay upon the theory that it was the duty of this Government to provide free homes for the homeless, to provide free homes for people who did not have land, land for the landless.

I do not care what law may be passed with reference to reimbursing the Government for the expense which it may incur for the building of these reservoirs and the irrigating of vacant public lands by the sale of the lands connected with the irrigation to be benefited by it; we are just as sure to have it all remitted to the settlers who may thus buy lands as we are to have it returned to them when we buy lands from Indian reservations to open for settlement. The principle is the same. If the Government can not reimburse itself properly for the money which it voted to the Indians for lands to be settled upon by white people, it can not properly take any money from persons who may buy public lands with water rights attached. Whatever might have been done in the first place, there is no Senator, and no man who understands the temper of Congress in this respect, who believes that eventually persons who might buy land would be obliged to pay for it, or, if they were obliged to pay for it, would not have the money returned to them.

Yet, Mr. President, I am not attacking this proposed policy of irrigating arid public lands. I do not know but that under proper conditions, with proper examination, and with proper safeguards thrown around it, I might assent to it; but I am opposed to fastening that proposition upon the country, crude, undefined, without safeguards, by the building of an immense dam at a great cost at San Carlos, on the Gila River, as is supposed in the country for the laudable purpose of irrigating the lands upon an Indian reservation.

I do not complain of the lobby which is here. What I do complain of is the endeavor to determine a question of this great national importance without careful examination, without careful investigation, and without understanding that what we do is settling a policy of the Government.

Mr. President, when I read that amendment I showed most conclusively that it was drawn for the purpose of excluding from investigation the consideration of every possibility of supplying that Indian reservation with water for irrigation purposes, except alone the plan for a dam at San Carlos, on the river, and yet there was on the records of the Senate and in a public document a lengthy and detailed report of the irrigation engineer who has charge of the irrigation of Indian lands, saying that, in his judgment, this scheme was impracticable for the purpose for which it was suggested, and that he believed there was a perfectly practicable and feasible way of irrigating this Indian reservation at a comparatively trifling expense.

I want to say another thing, Mr. President. If I am not mistaken, the Interior Department have already directed that the plan suggested by their irrigation inspector shall be tried; they have the money with which to do it, the Indians are to perform the labor,

and by the time all of this money is expended and this dam site acquired it will be certainly demonstrated whether there is another feasible and practicable scheme to irrigate this reservation at a comparatively trifling expense.

Mr. BEVERIDGE. In the meantime, would the Indians have the water which is necessary? I was unfortunate in not hearing the early part of the Senator's remarks.

Mr. PLATT of Connecticut. They would not have the water; but the Department, I will say, is going ahead; it has directed that operations shall be commenced to endeavor to supply this reservation with water on this scheme, which is thought to be practicable and feasible, and it can be done very much more quickly than it can by the building of this great reservoir.

Mr. CLARK. I will ask the Senator what will be the condition of those Indians meanwhile?

Mr. PLATT of Connecticut. If the Senator will wait a moment, I will come to that.

Of course, Mr. President, no water can be furnished to these Indians by the building of this storage dam at San Carlos in the next three or four years. They have got to go without water, if that is the only plan for irrigating that land, and they have got to be supported meantime by appropriations from the Government.

As to the Senator's suggestion that they can work on the dam, I do not think they will be driven from their reservation. There are 150 miles of work on that San Carlos dam. I think they would go to work, and willingly go to work, and keep at work in endeavoring to secure a supply from the river near by.

There is another matter involved in this proposed plan of the Geological Survey, and that is that some 15 miles above this reservation there are already irrigation works. The original company was, I think, called the Florence Canal and Land Company. They established irrigation works and took water out of the river, but they found their water diminished, as was the water of the Indians. The people who bought the bonds of the company in good faith have been compelled to reorganize the company; and while they are not getting as much water as they expected, they are getting enough to irrigate 8,000 acres of land and are irrigating it. They have got some 15,000 acres of land which they claim the right to irrigate. They took up the land under the laws of the United States. They then built their irrigation works according to law, and now the Geological Survey says they have got no right there which anybody is bound to respect.

The Florence Canal and Land Company has a new name since its reorganization, but I do not remember it. The Geological Survey treat with perfect contempt the idea that these people who have been attempting by private enterprises to reclaim arid and vacant lands have any rights at all, and ride over them; they pay no attention to them. There is that suggestion in this report. Well, Mr. President, there might be some question as to their rights as regards the Indians. If that company have taken water away from this Indian reservation, there may be some question about whether they had a right to do that by putting these irrigation works 15 or 20 miles above the Indian reservation and turning the water out of the river; but as to these newcomers, for whose benefit this amendment is intended, these new settlers, who are to take up the lands and use the water stored by this reservoir and all other waters stored and flowing in the river, there will be a pretty serious question as to whether they do not have rights.

Mr. President, I have never yet, though I have tried most gently, been able to find out how the water, if this storage dam be built, is to get to the Pima Reservation without either ignoring the rights of this land company or going into partnership with them. I have tried to have somebody tell me whether the water can be taken to the Indian reservation without going through their ditch. I suppose it can. My own judgment about it is that it can be so taken by a possible feat of engineering. If the water of the Chagres River could be controlled as an engineering feat, they can probably go around the Florence Land Company; but, as I understand it, they have built their ditch close up to the foothills of the mountains. Somebody has told me they could go over them in an aqueduct. Well, Mr. President, that would be a new system of irrigation engineering, I think, because it would be an application of the principle of elevated railroads to irrigation works.

Mr. THURSTON. If the Senator will allow me, that is a very common way of carrying ditches in the West. They carry them right over railroads in all portions of the West.

Mr. CLARK. Will the Senator allow me there?

The PRESIDING OFFICER. Does the Senator from Connecticut yield to the Senator from Wyoming?

Mr. PLATT of Connecticut. I think I am getting myself into trouble with these Senators who are more familiar with irrigation works than I am; but I will yield the floor.

Mr. CLARK. I am not speaking of irrigation, but I simply call the attention of the Senator to the fact that the object of this appropriation is to show the Senator and others interested just how it can be done.

Mr. PLATT of Connecticut. Oh, no; it is more than that.

Mr. CLARK. If the Senator will read, or have the Secretary read, the amendment, he will find at once the point at issue in the amendment.

Mr. PLATT of Connecticut. The Secretary has read it all through, and I have read all the paragraphs.

Mr. CLARK. There is only one paragraph.

Mr. PLATT of Connecticut. And I have endeavored to show that the object is not to determine whether it can be done, but the object is to commit the Government to the enterprise.

I was going to speak of this report of the irrigation engineer of the Indian Bureau. He is appointed for his skill, knowledge, and experience in irrigation matters. He is a man to whom all the projects for the irrigation of Indian lands are committed. He is a man who has the confidence of the Bureau, of the Department, and of everybody except the superior gentlemen in the Geological Survey, who assume all knowledge and deny all knowledge to anyone else. Mr. Graves has made a report on this matter. It is Senate Document No. 88, Fifty-sixth Congress. I beg Senators to send for it and read it.

Mr. TELLER. From what does the Senator read?

Mr. PLATT of Connecticut. I read from the report of Walter H. Graves, United States Indian inspector, Senate Document No. 88, Fifty-sixth Congress, second session. I find on the second page the following:

After reading with care the various reports of the United States Geological Survey relating to the investigation of the question of the storage of water along the Gila River—ostensibly for the benefit of the Pima Indians—and referred to me in connection with your letter of instructions, I am chiefly impressed with the theoretical and speculative character of the results of these investigations, and it is difficult to believe that Congress could be induced to appropriate the very large sum of money (directly and incidentally involved, several millions of dollars) required to construct the proposed reservoir and appurtenances upon the showing made in these reports and the tentative conclusions derived from these investigations, especially in view of the fact that such an undertaking would inaugurate a policy of Government patronage hitherto eschewed.

There is so much uncertainty and improbability involved in this reservoir proposition that it is difficult, if not impossible, to attempt to plan or even consider from a practical standpoint any system of irrigation for the Pima Indian Reservation at this time based upon the possibility of its consummation. All of the proposed reservoirs are remote from the reservation (the nearest over 30 miles and the farthest nearly 200 miles distant), and the intervening country is so mountainous and broken that it would be impracticable, except at enormous cost, to convey the water from any of them to the reservation through a ditch; therefore it must be expected that the water should reach the reservation through the natural channel of the river, in which case any system of ditches planned for irrigating the reservation should be devised just as though no reservoir existed, to be supplied with whatever water might escape from appropriators above and from evaporation and seepage en route.

The Gila River is subject to such violent and prodigious fluctuations that the chief difficulty as well as the principal expense of taking water from it through a ditch is to construct suitable diverting works, such as can withstand the floods and at the same time secure all of the low-water flow. The plan usually adopted is to rebuild the upper portion of the ditch after each flood, although in the end this is always the most expensive method.

There are to be found along the Gila River several expensive ditches, costing hundreds of thousands of dollars (one upon which a million has been expended), that are practically abandoned largely on account of the impossibility of maintaining the head works from destruction.

There is no other region of country that I am familiar with where the natural elements are so destructive and difficult to contend with as here. This is especially true in regard to wind and rain.

Later on he says:

A ditch seems to be an especial object of assault and destruction.

I shall not read all of this report, but I ask to have the whole document put into the RECORD at the end of my remarks.

The PRESIDING OFFICER. If there be no objection, it will be so ordered.

Mr. PLATT of Connecticut. Mr. Graves continues as follows:

There is, in my judgment, a more feasible plan for assisting these Indians than by constructing a system of ditches that must remain idle and useless for an indefinite period, perhaps forever, and one that will without any question enable them to secure a very considerable supply of water for irrigating their land, and may eventually afford them all the water that will be necessary to irrigate the lands required for their support, and that is to develop and bring to the surface the underground waters.

All excluded from this amendment, not to be investigated, not to be thought of, nothing to be done, except the chimerical project of building this reservoir at San Carlos. The report continues:

That there is an inexhaustible supply of water underlying the valley of the Gila there can be no possible doubt, for it has been disclosed in scores of instances and places on the reservation, as well as outside of it, both above and below, and it is to be found not only underneath the bed of the river and in the vicinity of it, but for some distance away from it, on both sides. It is found at various depths, in some places quite at the surface, and at others some distance below it, allowing for relative difference for elevation, which indicate that it is forced up at places and follows the undulations of an impervious underlying stratum of rock or hardpan. It is evidently not in a static condition, therefore it is in reality an "underflow," for wherever encountered it is nearly always observed to be flowing either toward the river or in the same direction as the river.

Mr. President, I call particular attention to that fact, because the Geological Survey people and all people who are in favor of national irrigation whistle down the wind at once any suggestion that these lands can be irrigated from what is called the

underflow of the Gila River. They say that wherever that has been attempted it has failed. I am not proposing to contradict the statement that where efforts have been made with great and expensive irrigation works by depending upon the underflow, as it is called, of a river which on the surface goes dry, those works have not been a complete success; but we are not asking for any great irrigation works to be supplied from the underflow of this river.

If we irrigate 7,000 acres of this Pima Reservation, we can keep every man, woman, and child at work on the reservation, if they are willing to work, and I believe, after reading this report of the irrigation inspector and the engineer in charge of irrigation for the Indians, that it is perfectly practicable to irrigate that reservation, so far as the needs of the Indians are concerned, from what may be called the underflow of the Gila River. I know, Mr. President, that Senators who reply to me will say, "That is nonsense; that is chimerical; that may do for a few years, but eventually it will fail." The other plan will fail in a few years, and admittedly fail; and it is admitted in this irrigation report that it will fail. It is said that this reservoir will fail on account of the sand and silt which will flow into it.

Speaking of the river at Buttes reservoir, the Geological Survey say (and the same rule applies to the dam at San Carlos):

The mean annual flow of water of Gila River at San Carlos has been determined as 422,184 acre-feet. If 2 per cent of this volume is solids, there would be delivered to the reservoir 8,443 acre-feet of solids per annum.

The "if" is what I wish to particularly call attention to.

The capacity of the San Carlos reservoir with the dam, as planned, 130 feet high to the spillway is 241,386 acre-feet. If 8,443 acre-feet of solid matter should be delivered to this reservoir each year and should be deposited therein, it would fill in twenty-eight and five-tenths years.

They say if there is 2 per cent of solids in the water it will fill in twenty-eight years, and on the next page the report says:

On July 11, 1890, there was 27 per cent of mud in Gila River at the Buttes—

Mr. TELLER. I should like to suggest to the Senator that all of that is not going to be deposited.

Mr. PLATT of Connecticut. This report goes into the most elaborate plans for taking the water around this reservoir and for building hydraulic sluices to sluice out the reservoir. Senators will see what there is in this report as I proceed. It is interesting reading, and I am sorry more Senators are not interested in the subject—

These figures show the exceeding gravity of the silt proposition on Gila River. No other stream is known in America which carries such large volumes of debris. It is evident that some provision must be made to avoid the destruction of the reservoir or the building of the dam would be useless. It would be cruel to develop a civilization upon irrigation which would have to be destroyed at the end of a generation.

It is extremely fortunate—

In the estimate of the Geological Survey—

It is extremely fortunate that there is more than one reservoir site on Gila River the water from which would be available for irrigation in the neighborhood of the Gila River Indian Reservation.

Not on the reservation, but in the neighborhood of it.

If a dam should be constructed at San Carlos and the reservoir become filled with silt, it would be possible to construct at the end of the twenty-eight and five-tenths years a second dam at Riverside of equal capacity—

That would cost, I suppose, another million and a half dollars—and after that reservoir became filled with silt the dam at The Buttes could be built.

They estimate that would cost over \$2,000,000.

A fourth reservoir site of considerable value may be found at Guthrie, above the Solomonville Valley, on the same stream, and of large capacity.

The report then goes on to tell how much they could increase the capacity by raising the height of the dam after the reservoir fills up. This Geological Survey takes no note of money. It is said man takes no note of time, but the Geological Survey takes no note of money. It is contemplated here not only to carry out this scheme of expense on this first proposed reservoir, but as the years go on it is proposed to construct three other great reservoirs, in order to supply the water when that shall become useless.

The report says if the river carries 2 per cent of solids it would fill up in twenty-eight years and a fraction. On the very next page it is said that on a certain day at flood tide the river carried 27 per cent of solids.

Mr. CLARK. Just on the line of the argument against the reservoir, I should like to ask the Senator from Connecticut whether or not the harbors upon the New England coast fill up with silt in such a way that it requires in the river and harbor bill an annual appropriation for the maintenance of the works there?

Mr. PLATT of Connecticut. The argumentum ad hominem does not have very much effect in this case. I am not saying that the Government shall not commit itself to the irrigation of lands. I said a while ago—I do not know that the Senator heard me—that I did not know but that I might be in favor of it as a matter of internal improvement, but I am not in favor of projecting it into our policy in this way.

Mr. Graves's report goes on to say that he has a plan by which he is confident that the water taken from this underflow can be made to irrigate this reservation. He says:

It is a real underflow.

What the irrigation engineers of the Geological Survey contend is that there is no such thing as an underflow under a stream which looks dry; that it is merely seepage; that it is water dammed up underneath like a pond in a depression under a river, where the underlying impervious stratum holds the water; and when that is tapped and drawn out there is no longer any water to be supplied.

Mr. President, that has undoubtedly, as I have said, been shown to be the case in some instances where great irrigation works have been undertaken by developing water from what was understood to be the underflow, but Mr. Graves, this engineer, from experiments which he has made, says that water is not in a static condition, and that it is a real underflow, and I believe that this reservation can be irrigated from it. Why is that plan excluded from the investigation of the Interior Department? Why is it so that if we adopt this amendment the Interior Department can not investigate further the plan which it thinks to-day is the feasible and inexpensive plan for irrigating this Indian reservation? Why are we called upon here to acquire the site, and not only to acquire the site, but to prepare the site, which means to dig down to bedrock, 74 feet below the surface of the earth, so far as the hundred thousand dollars will permit it? Why is he directed to go to work on this particular method of irrigating through this reservation the lands which he is directed to withdraw from entry, upon the theory that they are to be sold to settlers, who shall take them with the water rights attached?

I am sorry to have detained the Senate so long, but I feel deeply on this matter. I do not think it is proper to bring here an amendment to the Indian appropriation bill, ostensibly for the purpose of providing the Indians with water for irrigating purposes, but really for the purpose of committing the Government to the policy of national irrigation. I am sorry I have not it here, but I saw the call of the National Irrigation Association for its irrigation congress a little while ago in Chicago. I may not be able to speak very accurately, for I speak from the impression it made on my mind. It referred to this project as the one to initiate a system of national irrigation, because it had the advantage of the support of those who desire to irrigate the Indian reservation. It disclosed, in a word, why there is this tremendous pressure behind this amendment.

Mr. President, I do not believe that the good women of the United States, and the Presbyterian Church of the United States, and the Presbyterian missionaries, and the Board of Indian Commissioners, and all other philanthropic friends of the Indians would for one moment have committed themselves to this plan if they had known that the Interior Department and the Indian Commissioner and the engineer in charge of the irrigation for the Indians believed that with an expense probably of a hundred thousand dollars sufficient irrigation could be provided for this reservation.

The report ordered to be printed at the close of the remarks of Mr. PLATT of Connecticut is as follows:

IRRIGATION FOR THE PIMA INDIANS.

Letter from the Secretary of the Interior, transmitting copy of that part of the report of Indian Inspector Walter H. Graves relating to irrigation for the Pima Indians. January 14, 1901.—Ordered to be printed.

DEPARTMENT OF THE INTERIOR,
Washington, January 11, 1901.

SIR: In compliance with your request of the 10th instant I hand you here-with a copy of that part of the report of Indian Inspector Walter H. Graves of September 12, 1900, which relates to irrigation for the Pima Indians, which was referred to in my letter of December 3, 1900, on the same subject.

Very respectfully,

E. A. HITCHCOCK, Secretary.

Hon. O. H. PLATT,
United States Senate.

DEPARTMENT OF THE INTERIOR,
UNITED STATES INDIAN SERVICE,
Pima Indian Reservation, Ariz., September 12, 1900.

SIR: In reference to your instructions of July 16, 1900, directing me to proceed to the Pima Indian Reservation, in Arizona, to "ascertain the feasibility of a limited system of irrigation by the construction of necessary ditches to take the water for the use of the Pima Indians from the reservoir proposed by the Geological Survey," on the San Carlos Reservation or elsewhere along the Gila River, "in the event that Congress shall hereafter provide for its construction," * * * and prepare plans and specifications, with estimates of cost, of such ditches as may be necessary for limited irrigation and can be built for an expenditure not exceeding the sum stated (\$30,000), I have the honor to submit the following statement, for it has been impossible for me, with the means at my command, to prepare such a report as is evidently contemplated by your letter of instruction.

To prepare plans, specifications, and estimates of cost that would be in any way reliable and accurate for any system of ditches that would be extensive enough to cost \$30,000, it would be necessary to make a very careful reconnaissance and an instrumental survey, and to do this it would require the services of a properly equipped party of surveyors, and it would take several months to secure the information and data that would be necessary to prepare such a report. Therefore, I respectfully request your consideration of the

following statements and suggestions before making the requisition for the equipment and assistance necessary to accomplish your instructions.

After reading with care the various reports of the United States Geological Survey relating to the investigation of the question of the storage of water along the Gila River—ostensibly for the benefit of the Pima Indians—and referred to me in connection with your letter of instructions, I am chiefly impressed with the theoretical and speculative character of the results of these investigations, and it is difficult to believe that Congress could be induced to appropriate the very large sum of money (directly and incidentally involved, several millions of dollars) required to construct the proposed reservoir and appurtenances upon the showing made in these reports and the tentative conclusions derived from these investigations, especially in view of the fact that such an undertaking would inaugurate a policy of Government patronage hitherto eschewed.

There is so much uncertainty and improbability involved in this reservoir proposition that it is difficult, if not impossible, to attempt to plan or even consider from a practical standpoint any system of irrigation for the Pima Indian Reservation at this time based upon the possibility of its consummation. All of the proposed reservoirs are remote from the reservation (the nearest over 30 miles and the farthest nearly 200 miles distant), and the intervening country is so mountainous and broken that it would be impracticable, except at enormous cost, to convey the water from any of them to the reservation through a ditch; therefore it must be expected that the water should reach the reservation through the natural channel of the river, in which case any system of ditches planned for irrigating the reservation should be devised just as though no reservoir existed, to be supplied with whatever water that might escape from appropriators above and from evaporation and seepage en route.

The Gila River is subject to such violent and prodigious fluctuations that the chief difficulty as well as the principal expense of taking water from it through a ditch is to construct suitable diverting works, such as can withstand the floods and at the same time secure all of the low-water flow. The plan usually adopted is to rebuild the upper portion of the ditch after each flood, although in the end this is always the most expensive method.

If the head or the beginning of the ditch is located at a point where outcropping rock confines the river to a permanent channel of moderate width, it is possible to construct within reasonable cost diverting works with controlling gates that would give some assurance of security and permanency, but such favorable locations are seldom found suitable to other essential conditions.

There are to be found along the Gila River several expensive works, costing hundreds of thousands of dollars (one upon which a million has been expended), that are practically abandoned, largely on account of the impossibility of maintaining the head works from destruction.

Thirty thousand dollars is too small an amount with which to undertake the construction of a ditch taking water from the Gila River under ordinary conditions and according to the usual methods, and it is too large an amount to waste in attempting to do what others have failed to do with much larger amounts.

There is no other region of country that I am familiar with where the natural elements are so destructive and difficult to contend with as here. This is especially true in regard to wind and rain. In other regions nature often affords some sort of protection with mantle of vegetation, but here vegetation has all it can do to take care of itself, and in so doing contributes to the general destruction. In Montana I have known a plow furrow to be sodded over with grass in a few weeks and to remain intact for years. Here a plow furrow would be obliterated entirely in a few weeks. The heat is intense and withering, the winds violent and prevailing, and the rain, when it does rain, falls in a deluge, and, owing to the slight declivity of the country, has a tendency to spread out and fill up and level down everything, rather than to erode and wash out. A ditch seems to be an especial object of assault and destruction.

In support of these statements there are to be found all over this region, and particularly in the Gila Valley, evidences of a former occupation of the country by a large number of people who engaged, unquestionably, in agriculture by irrigation on an extensive scale, but so completely have their works of various kinds been destroyed and obliterated that remaining vestiges fail to convey any idea of their character, and only serve to excite the imagination. That there were formerly here extensive systems of irrigation ditches there can be no possible doubt, but where they began or terminated, or in what manner they were utilized, there remains nothing to reveal. At numerous places there are unmistakable evidences of artificial water channels, presumably irrigation ditches, that must have been built in the most substantial manner (some with rock-laid walls), and which in any other country would have remained sufficiently preserved to have indicated the purpose of their construction for thousands of years, but so completely have they been effaced by the destructive elements of this region that they can now only be discovered by careful search.

I refer to these facts to indicate how useless it would be to construct any system of ditches that could not be put to immediate use, and that would not be maintained and preserved by the vigilance and effort of those depending upon such ditches for their support.

That portion of the Gila Valley embraced within the reservation has the appearance of a shallow trough-like basin, the river channel (generally a mile or so in width) occupying the central portion of it, and depressed but slightly below the floor of the valley. The fall, which is to the west, probably does not exceed 6 or 7 feet to the mile, but laterally, toward the river, it is considerably more than this, the slopes extending from the foot of a succession of segregated groups of low mountains and isolated buttes, lying 5 or 6 miles back from the river; and the drainage from the mountains to the river is nearly at right angles with its course. There are no well-defined drainage channels and but few depressions, and the flood water flows to the river very much as the rainwater flows down the roof of a house. Any ditch built to irrigate the lands of the reservation must necessarily traverse the sloping sides of the valley, and will, in consequence, intercept all of the flood water, which would speedily destroy it, unless protected in some way by artificial drainage channels conducting the flood water to suitable crossings.

These conditions complicate very much the question of a proper location and plan for any system of ditches calculated to supply the Pima Indians with water for irrigation, and the cost of such a system will be very materially increased by reason of such conditions if it should be successfully constructed. It must be apparent that it is no trivial undertaking to devise a proper plan and prepare specifications and estimates of cost for any system of ditches for this reservation that would be of any value whatever, and it would be a serious mistake to repeat the failures heretofore made in this same direction.

Some ten or twelve years ago Agent Crouse was permitted to expend a considerable sum of money in the experiment of constructing an irrigating ditch on this reservation, which was a failure from the beginning, and there remains scarcely enough of it to recognize now as a ditch. It was taken from the south bank of the river at a point about 3 miles above the east line of the reservation, and extended down the south side of the river about 12 miles to a point within 6 or 8 miles of the agency.

It appears to have been located with considerable care, and to have been

fairly well constructed, considering the size of it. It covered a fine body of land, and had it been possible to protect it against the ravages of the river floods it would have been of great assistance to the Indians; but they never succeeded in getting the water into it below the first few miles, and it was finally abandoned. It cost, as I am informed, about \$8,000, and was manifestly a useless expenditure of money.

The difficulty with this ditch was—and it would be the same with any ditch that might be built now on the same plan—that when there was water enough in the river, during the floods, to fill it there was enough to destroy it, and it was washed out and rendered useless, and when the flood subsided there was no water left in the river to supply it, and, of course, it was useless.

DEVELOPMENT OF THE UNDERFLOW.

There is, in my judgment, a more feasible plan for assisting these Indians than by constructing a system of ditches, that must remain idle and useless for an indefinite period, perhaps forever, and one that will, without any question, enable them to secure a very considerable supply of water for irrigating their land, and may eventually afford them all the water that will be necessary to irrigate the lands required for their support, and that is to develop and bring to the surface the underground waters.

That there is an inexhaustible supply of water underlying the valley of the Gila there can be no possible doubt, for it has been disclosed in scores of instances and places on the reservation as well as outside of it, both above and below, and it is to be found not only underneath the bed of the river and in the vicinity of it, but for some distance away from it, on both sides. It is found at various depths, in some places quite at the surface and at others some distance below it, allowing for relative difference for elevation, which indicate that it is forced up at places, and follows the undulations of an impervious underlying stratum of rock or hardpan. It is evidently not in a static condition; therefore it is in reality an "underflow," for wherever encountered it is nearly always observed to be flowing either toward the river or in the same direction as the river.

It comes to the surface at frequent intervals in the bed of the river channel and near-by places, in the shape of swamps, pools, ponds, springs, and in some instances running streams. Of course it is not a sheet of flowing water overlaid by a stratum of surface soil, but a saturated subsoil of sand and gravel, porous enough to permit the water to percolate freely through, and overlying an impervious formation of rock or other material, and which, although irregular of surface, has the same general slope and fall as the country, permitting the water to flow down the valley underground; and where it is forced to the upper surface or near it there must exist a reef or a ridge or a bulge in the lower formation.

At a number of places on the reservation the Indians have, in a crude way, dug into this water-bearing stratum and tapped it, by drawing the water into the open ditches, which, following the slope of the valley with less fall, convey the water to the surface, whence it is conducted to their farms for irrigation.

Although their methods for developing this supply of water from the "underflow" are crude, and the results not very satisfactory in view of the vast amount of labor involved for the small amount of water obtained, yet the Indians have in a practical manner demonstrated the feasibility of the plan that I am suggesting, and it seems to me possible, by resorting to proper methods and by the use of suitable machinery, to develop in the manner indicated all of the water that will be necessary to irrigate the lands of the Pima Indians, particularly those that were formerly under cultivation and which they manage to secure a comfortable living from.

There are probably 1,500 of these people that are largely supported from the farms that are irrigated from the "underflow" at this time, and at a number of places they are now working on ditches with this same object in view, although with no very great enthusiasm, for they well know the amount of labor required and the liability of the results of their labor being destroyed at any time.

The principal difficulty that they have to contend with in the construction of these ditches arises from their inability to excavate to any depth into the water-bearing sand with such implements as they have—shovels and hoes. A man can not excavate in or under water beyond a depth of 2 or 3 feet by hand labor with any degree of success, although the Indians have excavated one or two of their ditches deeper than this.

The oozing quicksand and loose material that is constantly working back into the channel prevents them from getting more than a small proportion of the water that is available.

A ditch for such a purpose would in most cases have to be of unusual depth to reach and penetrate the "underflow," and in addition to the difficulty of excavating such a ditch by hand it is almost an impossibility to preserve it in any sort of serviceable state for any length of time, as it is so easily rendered useless and destroyed.

To accomplish such a work successfully the channel should first be excavated by machinery—a steam shovel or dredge—and it should be excavated well into the water-bearing stratum, allowing the water in the ditch to be from 8 to 10 feet deep, and then a continuous wooden pipe or box of proper size, and loosely jointed to permit the water to enter freely, should be placed in the channel, and, if practicable, covered first with broken rock and then back filled and buried. Being always submerged in water, the wooden pipe would last for many years, indefinitely, and being buried it would be out of reach of the floods and free from disturbance or injury.

This pipe should extend far enough down the valley to deliver the water at the surface sufficiently above the river to be out of the reach of the flood water. When delivered at such a place, the Indians would gladly take care of the water, building and maintaining their own ditches and relieving the Government of any further responsibility whatever in regard to the matter. This they are abundantly capable of doing, as they have constructed and operated such ditches as would be necessary to convey and distribute the amount of water that these pipes would yield for generations.

A series of these pipes might be laid, conveying the water alternately to each side of the river, suited in the most advantageous manner to the best areas of irrigable lands.

In addition to the underground water basin of the Gila River, there are several drainage basins of considerable importance that are tributary to the reservation that might be drawn from for a further supply if it should be necessary. At the upper end of the reservation there is a drainage basin (it is a shallow depression a mile or so in width, with no well-defined wash or flood-water channel) coming in from the southeast that drains quite a large section of country and is known to be well supplied with subsurface water. There are a number of wells scattered along this basin, showing that the water exists there within a few feet of the surface and stands at an elevation of 60 feet or more above an area of fine farming land on the reservation that might be supplied from such a source.

Toward the western end of the reservation the Santa Cruz River comes in from the south. This stream has no well-defined channel, but is a broad, shallow, basin-like depression similar to that described above and, except at flood time, a dry sand bed; but it is known to carry a large volume of underflow, which could be made to carry a large supply of irrigating water for the lands of the reservation. There are several other places along the north side of the river where these same conditions exist.

From a careful study of the subterranean water sources of the Pima Reservation I am firmly convinced that by this development process enough water can be secured to supply all of the lands that may be required to support this entire tribe of Indians.

There are many advantages attaching to this plan of developing a water supply for these Indians, if it can be successfully accomplished, that it is not necessary to mention herein, as they will be apparent upon reflection, the value of which it will be difficult to estimate.

The undertaking could be entered upon at no great expense, and if shown to be successful it could be carried out on a more extensive scale subsequently.

The principal item of expense in the beginning would be the cost of the necessary machinery—a dredge and a pile driver. The pile driver might be dispensed with until the project has been proven to be a success or failure in the first trial case and employed later on the larger pipes if the first, a small one, should operate satisfactorily.

The cost of a suitable dredge set up in place and ready for working would be in the neighborhood of \$8,000, as may be seen from the letter and catalogue of the Marion Steam Shovel Company submitted herewith (marked "A").

To operate this dredge there will be required three skilled mechanics, the cranesman, the engineer, and an assistant engineer. The wages of these men would range from \$65 to \$80 per month. There would be required several assistant laborers, and Indians might be employed for this sort of work. The cost of dredging would probably run from \$20 to \$25 per day. Outside of this expense the main item of cost would be that of lumber for making the pipe or box, and this could be laid mostly with Indian labor, only one or two skilled white men being necessary.

I have employed these dredges in the construction of irrigation ditches in several instances, and personally know that the work done by them is exceedingly satisfactory in deep excavating or in water-soaked material, and I know of no other way of accomplishing such excavation as is proposed in the plan suggested herein.

The idea embodied in this suggestion is similar to that employed in underdraining a farm, only on a larger scale, which is to underdrain a section of river and contiguous territory and deliver the water at a point where the Indians can convey it to their lands through a system of ditches of their own construction, and for which they will be responsible for maintaining and operating; and when these water-collecting pipes are once in place they are not likely to be destroyed or disturbed by floods or anything else, and will need little, if any, attention or care for an indefinite time thereafter.

On account of the exhaustion of the water in the Gila River and a drought of unusual duration, lasting now several years, these Indians, or many of them, are in a state of great destitution and want, and although the agent has resorted to every possible means of assisting them and has done everything in his power to provide for them, they are still in great distress and need assistance. The plan that I am suggesting for the development of their water resources offers no immediate relief, and is not submitted with that idea in view, for it will take considerable time to make the necessary preparations to undertake such a work as I propose, and should be considered outside of any measures that are incumbent upon the Department at this time for their relief.

While at the agency and on the reservation I had an opportunity to observe the manner in which aid is extended to the Indians, and I think it is altogether wrong. It is the custom to issue indiscriminately to them portions of wheat—the amount depending upon the appearance of the applicant; the more pitiable the appearance, the larger the portion—and the larger proportion of this wheat is taken immediately to the traders' stores and exchanged for other commodities, such as coffee, sugar, clothing, etc. Of course the trader exchanges at a profit, both in the purchase and the sale, and the Indian receives less than he would if he were issued cash and allowed to purchase directly what he wants.

There is no census or schedule of the Indians belonging to the reservation, and consequently no means of knowing who the applicants are or whether they are proper subjects for assistance or not. Notwithstanding the conscientious efforts of the agent (for I believe he is entirely honest in the matter), there is no doubt that his discriminations are often unfair and that he is often imposed upon.

The results are not at all satisfactory, and considerable discontent has arisen among the Indians on account of the issues that are being made. Not knowing the plans or desires of the Department in regard to this matter, I am at a loss to make any suggestions in regard to it; but I do know that the methods that are now in vogue are productive of much discontent and place the agent in a position to be criticised and suspected, and some other means of relieving distress of these people should be adopted.

I am, very respectfully,

WALTER H. GRAVES,
United States Indian Inspector.

The SECRETARY OF THE INTERIOR,
Washington, D. C.

[Mr. STEWART addressed the Senate. See Appendix.]

Mr. QUARLES. Mr. President, we read in the Good Book a condemnation of those who seek to climb over the back wall instead of coming in at the gate, and it has seemed to me that that condemnation was peculiarly applicable to the friends of this great scheme of irrigation.

I agree to all that the distinguished Senator from Nevada [Mr. STEWART] has said as to the magnitude and importance of this question. It has been amazing to me that the friends of that important measure have never seemed to rise to the dignity of the great question in which they were so much interested. When we are considering great schemes of legislation there are approved methods that are followed for perfecting schemes. The measure is referred to some committee where it may be debated and perfected. I submit that it is belittling this great cause to allow it to degenerate into a mere guerrilla attack from session to session, instead of allowing it to assume the dignity of a great national work of importance.

With every appropriation bill the Government is taken by the throat at the last moment for a few hundred thousand dollars, as though such surreptitious methods of indirection were necessary to promote this great scheme.

We have a standing committee, Mr. President, whose business it is to examine this very subject, but the cobwebs have been

gathering in that committee room and not one of the gentlemen claiming to be so much interested in this question has ever deigned to enter there. No proposition has ever gone there. This great question has never been considered by a committee, so far as I know, in this body.

Mr. STEWART. The Senator from Wisconsin is very much mistaken. The Committee on Irrigation have been considering it for the last ten years. That committee have traveled all over the country engaged in its consideration.

Mr. QUARLES. I can only speak of the short period in which I have been a member of this body. It may be true, as the Senator says, that in earlier periods there may have been investigations, but certainly during the last Congress the other course has been pursued and there has been absolutely no effort made to perfect any measure looking to the irrigation of this vast domain.

Not only, Mr. President, are there great interests involved in the scheme, but there are great principles involved. When the distinguished Senator speaks of the irrigation in India and Asia, he does not illustrate the question that is presented to us here, for when England wants to carry on works of irrigation she has no complicated question of State and national jurisdiction; there is but one power; there is but one will. But whenever a scheme of irrigation shall have been successfully undertaken in this country, I submit, sir, that the States must be consulted as well as the Federal Government. There are great legal questions which must be met and must be answered at some time, whether the friends of irrigation permit them to be solved now in the regular way or delay it until a later period.

Mr. BEVERIDGE. Mr. President, will the Senator from Wisconsin allow me to interrupt him?

Mr. QUARLES. Certainly.

Mr. BEVERIDGE. Those grave questions do not arise in any scheme of contemplated irrigation in Arizona, because Arizona is a Territory.

Mr. QUARLES. I am coming to that.

Mr. CLARK. Will the Senator from Wisconsin allow me to ask him a question?

Mr. STEWART. Will the Senator allow me?

Mr. QUARLES. If the gentlemen will come one at a time, I will yield.

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Wyoming?

Mr. QUARLES. Certainly.

Mr. CLARK. I want to ask the Senator, right on the line on which he is proceeding, without reference to the merits of the irrigation proposition, whether those same questions do not arise upon other public improvements which the United States carries on within the boundaries of a sovereign State, for instance, in the case of the river and harbor bill, where the Senator's own State is concerned?

Mr. QUARLES. There is no analogy whatever. A careful study of the legal principles involved will dissipate the doubt which the Senator suggests. The authority by which the National Government has carried on river and harbor improvements is, theoretically at least, for the improvement of a national highway, not for the improvement of private property, and that step has never yet been taken.

Mr. CLARK. But the Senator declines to answer my question. I asked him whether in improving a harbor in his own State the jurisdiction of the national and State governments might not come in conflict, especially where the improvement is made within the legal boundaries of the State, as designated by the organic act?

Mr. QUARLES. I do not so understand it, for every national highway is under the jurisdiction of the War Department.

Mr. CLARK. If it be a navigable stream?

Mr. QUARLES. If it be a navigable stream; certainly.

I am not undertaking, Mr. President, to solve these questions at this time; I am only suggesting them. Let me put it in the concrete for the purpose of illustration. Suppose the Government builds a dam in any one of the arid States; the moment that stream of water leaves that dam it falls under the jurisdiction of the State law, and Congress has lost control of it entirely. Those laws are different in the various States. I need not stop here to speak of it to any extent. I only allude to it to show that it will require eventually, in my judgment, the legal cooperation of both the State government and the Federal Government to carry this scheme to completion.

But, Mr. President, this amendment can hardly be said to be germane to an Indian appropriation bill. It must be a little more than a pretext. If we had to consider here only the interests of those tribes of Indians, the expense involved in this vast scheme would be so great that Congress might better bring those Indians here to the city of Washington and establish a reservation in the District of Columbia—just outside the jurisdiction of the Washington hotel keepers—and it could maintain them cheaper than it could accomplish this great scheme. No, Mr. President, that is

not it. This amendment is advocated for the purpose of committing the Government to a scheme of irrigation, without having that scheme perfected or matured by the usual legislative methods.

Let me suggest that the distinguished Senator from Nevada [Mr. STEWART] said that this policy of irrigation—

Mr. BEVERIDGE. Will the Senator permit me to ask him a question?

Mr. QUARLES. Certainly, if you will let me finish my sentence.

Mr. BEVERIDGE. Very well.

Mr. QUARLES. The Senator from Nevada said that this policy of irrigating for the benefit of the Indians is already an established policy. If that be true, then the Government is committed for all time to this policy, because wherever irrigation would be desired there is within two or three hundred miles of that point an Indian reservation; so that the only thing that would be necessary to launch that scheme under this established policy would be to indicate an Indian reservation as a terminus for canals and ditches. Now I will hear the Senator from Indiana.

Mr. BEVERIDGE. Do I understand the Senator from Nevada to be in favor of the general proposition of irrigation and opposed to this measure merely because it comes in as a part of a proposition to build a dam to secure water for the Indians?

Mr. QUARLES. That is it exactly.

Mr. BEVERIDGE. Then it is the method the Senator objects to, and not the substance at all?

Mr. QUARLES. Certainly.

Mr. BEVERIDGE. Now, I understand the Senator.

Mr. QUARLES. Mr. President, I shall be in favor of a well-considered scheme to bring this vast public domain under cultivation, but I am totally opposed to launching this scheme without consideration or perfection. I believe that a bill could be drawn which would be favorably considered by this body, so that this vast domain could be turned over to the States by impressing upon it a trust, so that the States would be compelled to use the proceeds of this money in carrying on this irrigation work. I have no doubt that such a scheme as that might be perfected and speedily done, so that these public lands could be available.

Now, let me explain another thing, Mr. President, to show the difficulties that are going to arise unless we take this matter up in some systematic and methodical way. I have had occasion to look at the desert-land laws. I presume Senators here are familiar with that system of legislation by which any settler is permitted to have the title to a 40-acre tract of land if he will irrigate it. Hundreds of thousands of acres of land along the streams of the West and Southwest have been patented under those desert-land acts. The result is that along those streams the land that lies nearest to the stream, where the water is most available, has been taken up, so that when the Government now undertakes to adopt this other scheme of irrigation, it will be in direct conflict with individual rights at every step. The Government has been working at cross-purposes. This difficulty will become greater and greater as the years go by. The sooner this matter is considered deliberately and carefully and matured, as other great measures are, the better it will be for the interests of the desert and arid regions of this country.

Mr. VEST. Will the Senator from Nebraska yield to me to submit some reports of committees?

Mr. THURSTON. I yield to the Senator.

ADDITIONAL REPORTS OF COMMITTEES.

Mr. VEST, from the Committee on Commerce, to whom was referred the bill (H. R. 11786) to declare a branch of the Mississippi River opposite the city of La Crosse, Wis., and known as West Channel, to be unnavigable, and that the said city be relieved of the necessity of maintaining a draw or pontoon bridge over said West Channel, reported it without amendment.

He also, from the same committee, to whom was referred the bill (H. R. 13437) providing for the construction of a bridge across the Yalobusha River, in Grenada County, State of Mississippi, reported it with an amendment.

BRIDGE OVER TWELVE-MILE BAYOU.

Mr. VEST. I am also instructed by the Committee on Commerce, to whom was referred the bill (S. 5717) to authorize the construction and to maintain a dam and wagon bridge across Twelve-mile Bayou, in the parish of Caddo, in the State of Louisiana, to report it favorably without amendment.

Mr. CAFFERY. I ask unanimous consent, with the permission of the Senator from Nebraska [Mr. THURSTON], to call up and have considered now the bill reported by the Senator from Missouri [Mr. VEST] from the Committee on Commerce in relation to the bridge across Twelvemile Bayou.

The PRESIDING OFFICER. The Senator from Louisiana asks unanimous consent for the present consideration of a bill the title of which will be read.

The SECRETARY. A bill (S. 5717) to authorize the construction

and to maintain a dam and wagon bridge across Twelve-mile Bayou, in the parish of Caddo, in the State of Louisiana.

Mr. THURSTON. I will state that I shall not object if the bill does not lead to discussion.

Mr. CAFFERY. If it leads to discussion, I will withdraw the request.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ADULTERATION OF FOOD PRODUCTS.

Mr. DANIEL. By the courtesy of the Senator from Nebraska [Mr. THURSTON], I desire to submit a resolution calling for a digest of certain testimony on alum baking powder taken by the Industrial Commission, and also of a digest of the testimony recently taken before the Committee of Manufactures of the Senate on the adulteration of food and drink products, which was ordered by a resolution of the Senate on December 6, 1900.

The PRESIDING OFFICER. If there be no objection, the resolution will be received and read. The Chair hears none.

The Secretary read the resolution, as follows:

Resolved, That the Industrial Commission is hereby directed to prepare a digest of the testimony herewith submitted on alum baking powder, and send the same to the Senate with its digest of the testimony recently taken before the Committee on Manufactures of the Senate on the adulteration of food and drink products, which was ordered by resolution of the Senate on December 6, 1900.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

Mr. GALLINGER. I should like to make an inquiry of the Senator from Virginia. Would it not be well, perhaps, to broaden the resolution so as to have a digest of the testimony taken in relation to baking powders?

Mr. DANIEL. That is included in the resolution.

Mr. GALLINGER. The resolution speaks of "alum baking powders," but testimony is being taken, I think, covering a wider field than that. I think we ought to have as well the testimony taken on the other side.

Mr. DANIEL. I understand that was ordered under a resolution submitted by the Senator from California [Mr. PERKINS], and adopted on the 6th of December, 1900. I have not examined the other testimony, but that is my understanding of the matter.

Mr. GALLINGER. If that is so, of course there is nothing further to say.

Mr. DANIEL. I believe it was ordered on the 6th of December last.

Mr. GALLINGER. Then I will withdraw any objection to the consideration of the resolution.

The resolution was considered by unanimous consent, and agreed to.

INDIAN APPROPRIATION BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12904) making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1902, and for other purposes.

Mr. THURSTON. Mr. President, before speaking on the pending amendment, in order to perfect the bill, I move, in the clause making appropriations to pay the expenses incident to the surveying, platting, and appraisal of town sites in the Indian Territory, etc., to amend, in line 1 on page 44, after the date "1898," by inserting the words "and all acts amendatory thereof or supplemental thereto."

The amendment was agreed to.

Mr. THURSTON. In the clause making appropriation for the pay of Indian inspectors, on page 7, line 5, after the word "dollars," I move to insert "of which sum not exceeding \$5,000 to be immediately available."

The amendment was agreed to.

Mr. THURSTON. In the clause making appropriations for traveling expenses of Indian inspectors, on page 7, at the end of line 20, I move to insert "of which sum not exceeding \$1,000 to be immediately available."

The amendment was agreed to.

Mr. THURSTON. Mr. President, as the chairman of the committee in charge of this bill I endeavored to secure the floor immediately after serious objection had been made to the pending amendment, for the purpose of explaining it and, if possible, of obviating an extended discussion.

In the first place, I wish to resent the imputation that the committee is moving by indirection in this matter, or that any member of the committee is attempting to secure by any unfair or unjustifiable method the commitment of Congress to an irrigation scheme.

The pending amendment did not come from the Committee on Indian Affairs without trouble, trial, and travail. It was not considered in secret, nor were the views of a single member of

that committee favoring it unexpressed in the presence of all of the other members.

On the Gila River in Arizona something like five thousand or more Indians are domiciled. They might, indeed, be termed domiciled Indians, for they are not wild Indians. They have lived there in very nearly a self-supporting condition. They show a disposition to work; they show a disposition to take care of themselves, and they certainly are Indians whom this Government ought to be very willing to assist toward civilization.

Originally, by their rude methods of irrigation, they were enabled to cultivate sufficient lands to provide themselves with the means of livelihood, but by and by the white settlers came in; capital became interested, and by various irrigation ditches tapping the waters of the river above them, and by reason of the changed condition of the flow in the river, they found themselves in a situation where the water no longer came to their ditches in sufficient quantities to enable them to continue the cultivation of the soil.

It became a serious matter for Congress to ascertain what it was possible to do for these Indians. Investigation has been made, and very thoroughly made. We have reports and reports from various persons, scientific and otherwise, who have investigated the problem.

In the first place, Mr. President, we must take care of those Indians; we must there or elsewhere put them in a position where they can sustain themselves, earn a livelihood, and advance onward in the pathway of civilization. That is our duty; we can not escape it, and we must meet it. Of course, it is the duty of Congress to meet this obligation in the cheapest and most direct manner possible, and experiments have been made to see whether or not by the ordinary methods of irrigation the water could be restored to their ditches and to their lands, but, in my judgment, it has been found absolutely impossible; in my judgment there has been no scheme proposed, except the one outlined by this amendment—and I have studied the subject very carefully—by which an adequate and perpetual irrigation of the lands of those Indians can be secured. Therefore I think we must look beyond the ordinary processes of irrigation if we are to provide relief for these Indians, or else we ought at once to accept the other alternative of removing them from there to some other part of the country where we can provide for them.

Mr. President, this idea that we can tap what is called the underflow of that river and for any definite period of time secure water enough for the irrigation of any considerable area of land is, in my judgment, absolute and utter nonsense. I have personally known of schemes or plans and projects of that kind being tried. I will not specify, because I do not wish to call attention to one great irrigation and manufacturing project that was attempted on this same plan and which has failed; but I know—at least I think I know, and I have investigated the subject and read almost all that has ever been published regarding it—I think I know that the theory of a continuous underflow beneath the beds of our Western rivers is absolutely exploded; such underflow does not exist.

Water percolates through the soil; it finds its way among the rocks and below the various strata that underlie the bed of the river; and it remains there. Possibly at certain seasons of the year it has more or less of a movement, but the moment those underground sources are tapped, the moment they are drawn upon, from that moment you commence to find exactly what you find when you tap gas strata—a gradual diminution of the supply, until eventually the supply is exhausted and the work and the money spent are without avail.

Mr. PLATT of Connecticut. Will the Senator allow me?

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Connecticut?

Mr. THURSTON. Certainly.

Mr. PLATT of Connecticut. I do not wish to interrupt the Senator, but I wish to ask him a question for my own information. In regard to the enterprise of which he speaks, has the flow entirely ceased?

Mr. THURSTON. The flow that they attempted to secure from below the bed of the river has absolutely and entirely failed. While it was sufficient on the start, even in the driest season, it has entirely failed; and I believe that every other such scheme will entirely fail.

Mr. TELLER. Will the Senator allow me?

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Colorado?

Mr. THURSTON. Certainly.

Mr. TELLER. I know of a case in Colorado where a million dollars was spent to get the underflow, but it is now abandoned. As the Senator says, when they had tapped it and drawn out the water that was the end of it.

Mr. THURSTON. The so-called underflow beneath our rivers is simply a reservoir of stored water. It is, as it were, in a tub; when you draw it out, the tub becomes empty.

Then we had to face the proposition of a reservoir or else move

those Indians. I do not know, if it were a simple question of expense, but what I should be in favor of moving the Indians. I wish to be honest and fair with the Senate. In my judgment we could perhaps move those Indians and support them somewhere else more cheaply than we could build and maintain this reservoir and dam and keep up a system of irrigation. That is perhaps true.

This dam and the irrigation system are estimated to cost about a million and a quarter. I wish to be fair. In my judgment it will cost \$2,000,000. You must always figure on an increase whenever you enter upon new and untried experiments of this magnitude. It may cost two and a half million dollars before we are through with it. It will be more or less expensive to keep up. It will cause more or less outlay of money to keep the bed of the reservoir free from the sand and the soil that is deposited there by the waters. That question, however, from the engineering standpoint, presents no serious difficulty. It is only a question of expense. The dam once built can be maintained forever, and an irrigation scheme with that dam and reservoir behind it will be a permanent and not a temporary one.

I think it is only fair, when we come to consider the question as to whether we will move those Indians or build this reservoir and these irrigation works, that we should consider something more than the mere question of dollars and cents.

If there is anything else in this amendment except a straight, legitimate proposition to irrigate the Indian lands, it comes here because the committee feel that we have the right to also investigate the proposition as to whether or not this dam and these irrigation works, in performing their functions to the Indians, could also be used by the United States for the irrigation of adjacent lands and the development and settlement of the country.

I resent the idea, Mr. President, that there is any purpose to load an irrigation plan upon the Government of the United States by reason of this amendment to the bill. If we had failed to take into consideration what we could do with the waters stored by this dam in addition to those needed by the Indians, we would have failed in our duty. If we had presented an amendment here for the sole purpose of an appropriation of money to be expended in investigation and reporting as to the sufficiency of this dam and these irrigation works for the Indians, we would have failed in our duty if we had not also included in the same amendment a proposition to ascertain what further benefit to the United States and to that section of the country this same project would afford.

The Senator from Connecticut [Mr. PLATT] says that there are intervening rights on that river between the proposed dam and the Indian settlements. That is true, and yet the report of the engineers shows that, with this dam located far above these other water companies, the ditch or, in places, the flume that is to convey the water from the dam, either on one side of the river or the other, to the Indian possessions will be by a very easy engineering feat carried entirely over the ditches of those companies, notably the Florence Land Company. Our plan, so far as established works are concerned, will not interfere with them at all; we will not clash with them; we will not subject ourselves to any claims for damages by reason of interference.

It is a perfectly feasible engineering proposition. I could call the Senator's attention to many great ditches taken from streams in the West that are carried down for irrigation and other purposes across railway tracks, carried across canyons, carried across other irrigation ditches. There is nothing that is serious from the engineering standpoint in that. So, after investigating this matter, I feel that I can assure the Senate that this plan will not directly interfere in any manner with the ditches or the properties or the lands of the Florence Irrigation Company.

Mr. President, it has been suggested by the Senator from Connecticut that various legal questions will arise if we attempt to dam this river and store its waters and make use of them for irrigation purposes. He says there are vested rights in these intervening companies. They have rights. We recognize them. They have rights that they can not be deprived of, but their rights are clear under the decisions of the courts in this country, and we know exactly what they are. When we store water above them, they have one right and only one right, that there shall be given to the flow of the river just that amount of water from time to time and from year to year that was accustomed to flow in the stream before the construction of our dam and reservoir.

It is the old common-law doctrine that you can not interfere with the usual and ordinary flow of a stream of water. So if we construct this reservoir it will be the duty of the Government, a duty easily performed, a duty that can be performed without intrenching upon our own irrigation rights or exhausting our own stored supply of water, to return to the river, month after month, year after year, as much water as history shows was accustomed to flow in it before we constructed our works. Now, all these are easy matters. They are matters of detail. They are matters that need not give us any concern. They are matters that ought not to stand for one moment in the way of our taking action.

There is only one question here, and that is whether or not the fact that, in addition to providing irrigation for our Indian wards by constructing a dam large enough and storing waters enough for their use we are also enabled to irrigate thousands and thousands of acres of other lands, is any reason why we should not proceed, through an appropriation bill of this kind and through the Indian Committee, to start this project or to investigate it. I insist that there is no reason in the world why that objection should be made, nor are we necessarily committing ourselves to any great irrigation plan. Yet if we can, while providing irrigation for these Indian wards of ours, provide irrigation also from the same reservoir for thousands and thousands of acres of desert Government land, it is to me only an additional reason why we should not hesitate to have the most thorough investigation and report made, so that Congress may know exactly what we are to secure in the way of benefits to the Indians, to the public lands, and to the people.

Mr. President, there are but few points in the United States that can be selected where it is feasible or favorable to try the greater experiment of national irrigation. I doubt if there is another place in the whole area of our country that seems to have been so fitted by nature for the experiment as the one named in the amendment to the bill. It is in a Territory, to begin with, not in a State. Our jurisdiction there is absolute over the waters and the soil and the Territory and the people. We can legislate as we please. Then the flood waters of that river are most phenomenal. There has never been a suggestion made but that the flood waters of that river, if arrested in the rush which means only destruction and devastation, are sufficient to turn a vast area of desert land into a garden, where not only Indians but gods may dwell and reap the fruit of their toil. It is a favored locality.

Mr. PLATT of Connecticut. Gods?

Mr. THURSTON. Yes, gods; because every American citizen, in my idea, is a god on earth. Some of them are on wheels and some are not on wheels; but if the Senator would go into that country and stay a little while upon the Gila River, he would see some of them who are on wheels.

Mr. President, nature has furnished a location for a dam that will store a vast quantity of water such as I know of nowhere else. The place where the dam is to be constructed is a cut or canyon through the solid rock. I do not know how many feet wide it is. [To Mr. PETTIGREW:] Do you remember how many feet wide it is?

Mr. PETTIGREW. About 200 feet, depending upon the height.

Mr. THURSTON. A dam not exceeding 200 feet in width can be placed there, with rock sides and rock bottom—an eternal rock foundation and eternal rock support on either side—and carried to any height desired; and the lay of the country behind it is such that it will furnish a vast reservoir flooded by this one little narrow dam. There is not a more favorable location for an irrigation experiment than that.

If this were only an irrigation experiment, disconnected from the Indian situation, why should we not try it? It is proposed to appropriate millions of dollars to make the American flag as familiar on the sea as it is on our land. But it is an experiment, and it is an experiment that I am willing to favor, for if it will accomplish what is claimed, it will bring great and lasting good to all of the people of the United States in every part and in every vocation of life. We expend millions of money along the Mississippi River on the theory of deepening and improving a navigable stream and protecting it, but after all, so far as navigation is concerned, the Mississippi River is now only historic. The railway, the locomotive have superseded the steamboat. The Mississippi River is no longer a great highway of communication and of traffic. We expend our ten millions a year simply to protect the people living in the valleys through which that mighty river flows from the danger of the overflow, and I am willing to see it done, because it benefits a vast area of our country whose welfare is vital to the prosperity of the people of the whole country.

Mr. President, we spend millions and millions of dollars every year in excavating salt creeks along the seacoast of the United States so that deep-water navigation may reach every little hamlet on the New England shore. I am in favor of it. If it is an experiment, it is an experiment for the interest of the people of the whole country. I live in the West, where no steamer can ever come; I live in the West, where there is no necessity for harbor fortifications; I live in the West, where we build no ships to sail the seas; and yet I am in favor of the most liberal appropriations for all these purposes, for they are great national enterprises, experiments, if you please, which, if successful, will bring benefit and wealth and commerce and prosperity and glory to the whole people.

Yet it does sometimes seem to me that in some respects we in the West are a little broader about these things than others of the East. It does seem to me that we who live on the prairie and in the shadow of the mountains are a little more generous toward the people of the coast than they are toward us. It does seem

to me sometimes, Mr. President, that the man who lives by the sea and all his life long hears nothing but the roar of the surf upon the seashore—the man who lives in a climate so damp that he has to hunt for sunshiny days—is apt to become somewhat of a mossback; and I have sometimes thought that the moss along the New England shore not only grows on the backs of the houses, but on the backs of some of the men.

So, Mr. President, as a representative of the West, class this legislation as you will, I do protest against your fighting a little appropriation of this sort to experiment at the most available point, where there is the best chance to get results, on the question of national irrigation. Float your steamers up your salt creeks, keep your Mississippi in the bed that you are building up by the construction of your dikes, give subsidies to the merchant marine, but, for heaven's sake, just give us a little chance. While you are working at the bung-hole of the National Treasury, let us use a gimlet. It does seem to me that when you pour out treasure for other sections of the country it comes with a rush, but when you pour it out for us you pour it out as slowly as the flow of molasses in a cellar where the thermometer is 40° below zero.

Mr. President, your committee would have been justified in proposing this amendment, covering simply the purpose of constructing a dam and reservoir for the irrigation of Indian lands on the Gila River. If we had stopped right there, we would have been fully justified. Are we to be criticised because we also call the attention of Congress to the fact that this dam and this reservoir and this irrigation will be much greater than the Indians need and can be devoted to other purposes—to reclaim thousands of acres of desert land?

Mr. PETTIGREW. Government land at that.

Mr. THURSTON. Government land at that, worth not a cent per acre, raising nothing but cactus, sand, stones, trouble, and hades. Are we to blame because we ask Congress to look at the whole problem, to grasp the whole situation?

Now, let me tell you why we did so. I told the gentlemen who have been pushing this reservoir plan—I told the committee frankly that I was largely influenced in reaching a favorable conclusion by the fact that I thought here was the best opportunity that would ever be afforded for trying the irrigation experiment on a large scale in a satisfactory manner, without cost to the people of the United States, and I will tell you why. Nature has not only been favorable to a dam site and a reservoir site, but she has been favorable by putting a vast area of land in just the position where it can be irrigated through ditches from this dam and this reservoir—land utterly unproductive, land that can not be used for anything else, but land holding within its elements the riches that nature has deposited there, waiting only for the arrival of the water that man can turn upon it through an irrigation plant; land now worth nothing, but with water upon it worth from forty to fifty, yea an hundred dollars per acre. I am not exaggerating about that. It is land that means gardens, not farms; land that will produce grain, vegetables, fruits, the vine—everything that can be grown on the soil in a favorable locality and under proper climatic conditions. It means homes for thirty or forty thousand people where now there is only a desert. Is it not worth while to try this experiment?

But the Senator says, let us wait until the Irrigation Committee of the Senate has proposed a general scheme of irrigation throughout the country. Mr. President, we are not ready for any general irrigation scheme. Congress, in my judgment, would be unwise, would be almost criminal in the expenditure of money, if it entered at the present time upon any great irrigation plan. Why? We have not had enough practical experience. You may theorize and theorize until the rivers run dry, and Congress will not be any better informed than it is now as to what we can do in a practical way for the irrigation of the arid wastes. We need the investigation; we need the experiment; and \$2,000,000 to demonstrate on the Gila River whether irrigation can be made financially successful, whether we can make our desert bloom, whether we can find homes for happy millions, will be money well expended.

The Senators who ask us of the West to stand with them and vote millions as a donation to the shipbuilders of the United States ought to be willing to stand by us in the West, to give us a million or two now and then for the development and the experiment of this great problem of national irrigation.

The Senator from Connecticut, Mr. President, has just told us about what has been done with our public domain; that when we bought it from the Indians, through our various treaties, we did it on the pretense that we were to sell it for better prices to the people of the United States.

Ah, Mr. President, we might have been justified in expending many millions more in purchasing the lands from our Indians if we had no other purpose than to open them as free homes to the workers of the United States that they might occupy them, till them, cultivate them, and make happy homes. The Senator from Connecticut would urge that a subsidy to a ship flying the American flag is a benefit to all the people of the United States;

and so it is, because it stimulates trade, builds up our commerce. Our national, commercial, industrial, agricultural, and financial system is of such a character that the lifeblood in its arteries pulsates through every part, the blood of national prosperity flows from every part to every part, and whatever upholds one hand of the nation maintains the other.

I can turn and say to the Senator from Connecticut that every home built in a Western valley, that every acre of land upon our plains reclaimed from the desert, that every blade of grass made to grow where none has grown before, that every fruit tree whose spreading shade means shelter and comfort for the children of the West is a direct benefit to every business and every home and every citizen of the State of Connecticut.

Mr. President, west of the hundred and second meridian in the United States there is a vast territory—two thirds of our area on this continent—upon which God's rain does not come in great abundance. It is a land rich in natural resources. It is a land of mountains filled with mineral wealth. It is a land of forest, with valuable timber. It is a land of extensive grazing facilities. It is a land of streams and of valleys. There are no richer fields, no broader opportunities for development, than is found upon the plains and valleys and among the mountains of the West. The teeming population of the East will multiply and multiply and multiply. It must find an outlet, and there is none, except to the West. The great centers will be crowded. There must be an overflow somewhere. It is to the West and to the South. We are a nation of only 75,000,000 people. The time is coming—and statesmanship should see it and legislate for it—when we will be a nation of 750,000,000, and will need every tillable foot of American soil upon which to support our population. Are we, then, foolish? Can we be charged with misdirection? Are we in the West to be scouted at when we simply ask for a little appropriation of a hundred thousand dollars to have just one irrigation scheme properly investigated, properly laid out, properly estimated for, that we may know what we can do along these lines?

Mr. President, when your committee discovered that this reservoir would irrigate not only the Indian lands, but thousands and thousands of other acres of the public domain, would we not have been guilty if we had not put the provision in this amendment that we did, providing for the withdrawal from sale of the lands that are open to irrigation by this reservoir? If we had not done so, the very day that it was definitely decided to proceed with the construction of the dam and the creation of the reservoir, these desert lands would have been entered upon by the alert people of the United States, who would get them under the free-homes act, and hold them. Instead of that, we ask while this investigation is pending, we ask while this scheme of irrigation goes on and until it is completed, that the lands lying directly under this reservoir, subject to its overflow, easily reached by its ditches, shall be reserved from public entry and public sale, in order that the Government of the United States may dispose of them in any way it sees fit, after we find whether they can be successfully irrigated.

If we can irrigate them, we will multiply their value fifty or an hundred fold. And if we do irrigate them, Mr. President, and it should then seem fit to the Congress of the United States to open them also to free-homestead entry, where is the man in the Union who will dare to say that it would not be a wise, a beneficent, and a proper plan? Not by 160 acres per man, but in such tracts as would proportionally represent the producing capacity of the 160 acres we give to him now in other portions of the country.

But no matter what becomes of this land afterwards, there it lies, the fairest opportunity that has ever been presented to irrigate it, to redeem it, and to do it in connection with a necessary and an imperative demand for the salvation of the Indians living upon the stream, who must be provided for in some way.

Mr. President, the plea that this amendment should be defeated because it couples together two beneficent projects, it seems to me, is unworthy of further consideration, and I confidently await the decision of the Senate.

Mr. CHANDLER. Mr. President, it is my intention to vote for this amendment. It was my intention to so vote before the Senator from Nebraska [Mr. THURSTON] uttered his glorification of the West and his criticism of New England. He may have entered upon that criticism because of the opposition made to the amendment by the Senator from Connecticut [Mr. PLATT]. That Senator, it is to be noticed, is a member of the Committee on Indian Affairs, and spoke rather because he was a member of that committee than because there is any feeling of hostility in New England to legislation intended for the development of the great West; and I regret that the Senator from Nebraska should have seen fit to inflict his castigation, however feeble it may have been, on New England.

Mr. President, with this simple criticism of the Senator's remarks, I am happy to say that I agree with every word that he says. His very forceful and eloquent presentation of the benefits to be derived in the arid region from the construction of dams and irrigating canals was in every way acceptable to me and, to my mind, daguerreotyped the exact condition.

The Senator from Nevada [Mr. STEWART] many years ago interested me in this subject. After an early career in the Senate, many, many years ago, when he again returned to the Senate he began a thorough and exhaustive examination of this subject. Everything that could be learned about irrigation in ancient and modern times the Senator took into his comprehension. I remember his inviting me into his room one day, and he had a long table before him and it was covered with books and documents on the subject of irrigation. He interested me in the subject, and I became somewhat inspired by his enthusiasm.

I have always felt that this country should not only appropriate national moneys for the improvement of its rivers and harbors, but should also enter upon a system of national irrigation in the arid regions of the interior of the country. The Government of the United States should do it for two reasons—first, it is the only organization which can afford the capital with which to do it; secondly, the national power is necessary to overcome the difficulties growing out of dealing with lands in the States.

I regret, Mr. President, that this subject of a national irrigation system has not been more pressed by Senators from the West. I take the liberty of saying to the Senator from Nebraska that I think irrigation has made so little progress not because of any disposition on the part of Senators and Representatives from the East to vote for proper bills for establishing and maintaining irrigation dams, ponds, and canals, but because our brethren of the West have not overcome the difficulties in the situation and presented measures of legislation for which we could all vote and for which we would all gladly vote.

Mr. STEWART. Mr. President—

The PRESIDING OFFICER. Does the Senator from New Hampshire yield to the Senator from Nevada?

Mr. CHANDLER. After one sentence, I will gladly yield.

Now, the Senator from Connecticut did not rise to oppose national irrigation. He rose, as was his right, to argue that this particular scheme should not be adopted upon this Indian appropriation bill. But I doubt not that the Senator from Connecticut will be ready, as I am, to vote favorably upon any wisely planned scheme for beginning or continuing or establishing national irrigation. I now yield to the Senator from Nevada.

Mr. STEWART. The trouble with us has been that we never have been able to devise a scheme which was regarded as wise and comprehensive. The people of the East have constantly told us that they were in favor of irrigation. They remind us very much of the celebrated philosopher of Maine who said he was in favor of the Maine liquor law, but was opposed to its execution. They are in favor of irrigation, but they are opposed to its execution whenever an opportunity occurs.

Mr. CHANDLER. There are some kinds of irrigation that we are all in favor of. The Senator from Nevada continues the reproach which the Senator from Nebraska made; I think without any justifiable cause, Mr. President. I repeat that the Senator from Nevada himself, after studying the subject for years, utterly fails to find any well-prepared scheme which he could present to Congress.

Mr. STEWART. One that would satisfy the Senator from New Hampshire.

Mr. CHANDLER. Mr. President, I have always voted for every scheme that has been presented. But the Senator from Nevada, after pursuing the subject two or three years, got into a quarrel with the Secretary of the Interior about the withdrawal of lands, and then the Senator's brain got filled with his ideas about silver and greenbacks, and for the last six years he seems to have utterly forgotten the whole subject. He has transferred the mantle which should have covered his shoulders to those of the Senator from Nebraska, who now presses this measure with an imputation upon another section of the country that I reckon is just as ready to vote for irrigation works as the Southern section is, or the Western section.

Mr. STEWART. Will the Senator allow me to correct him?

Mr. CHANDLER. Certainly.

Mr. STEWART. As to having a controversy with the Secretary of the Interior, it was the Director of the Geological Survey, who by some construction of his closed all the land offices in the West; and that would not do, because the land offices must be open for the settlers to acquire land or they can not get it.

Mr. CHANDLER. Mr. President, the great cause of national irrigation which the Senator stood by and inaugurated struck a snag in that connection, which was a natural trouble. If the lands were to be made more valuable by irrigation, they should have been withdrawn from public sale; but if you withdrew them from public sale and then did not establish your irrigation system, of course great injury instead of good was done, and the system of irrigation as conducted by the Senator from Nevada came to a standstill.

Mr. TELLER. Will the Senator let me state to him what was the obstacle that we encountered?

Mr. CHANDLER. I would be glad to have the Senator do so,

because I want Senators to understand it was not for want of New England votes.

Mr. TELLER. No; it was not. In the first place, the Director of the Geological Survey, who had this thing in charge, seemed to have the confidence of the Secretary to such an extent that he was allowed to go on under a construction—a forced construction—that he secured, and he withdrew all the lands in the arid regions from the operation of the land laws. So we had at one time 150,000 settlers clamoring to enter their land denied that privilege. Then the Director had a scheme by which the Government of the United States was to build reservoirs all over the West, and send out its agents to distribute the water. That was an obstacle that every State in the West would resist. If the Government ever enters upon the scheme of building reservoirs, the States where the reservoirs are established will control the water or else the Government will never build them.

Mr. CHANDLER. Mr. President, the two Senators have well confirmed what I stated. These obstacles arose. They have never been overcome. They need to be overcome; and all the thought and all the brain and all the energy that can be given to this subject by the Senators from the arid regions ought to be given in order that we may have a storage of water in those regions which shall be turned into irrigating ditches to beautify those sections, make the wilderness to bloom and to blossom like the rose, so that there may grow up those grand citizens of the great West which the Senator from Nebraska has so beautifully described.

Now, Mr. President, it is not the lack of the New England votes. It is the lack of feasible plans for irrigation. My colleague from my State [Mr. GALLINGER], I remember distinctly well, within two or three years made a brief but very forceful address in behalf of a system of national irrigation.

Mr. BEVERIDGE. Mr. President—

Mr. CHANDLER. I yield to the Senator from Indiana.

Mr. BEVERIDGE. The Senator has spoken two or three times about some feasible plan being laid before a committee and there investigated and then returned to the Senate in proper form. I should like to ask the Senator how a feasible plan will be devised unless there are experiments, and where the data will be procured unless through experiments, and, further, whether or not the amendment under discussion is not a proposition to investigate and not to enter upon a scheme of irrigation?

Mr. CHANDLER. Mr. President, I must have been very dull if I did not make the Senator from Indiana understand that I was speaking in favor of the amendment.

Mr. BEVERIDGE. I am glad to hear it.

Mr. CHANDLER. I thought that the Senator, although he sits at a great distance from me, would understand that I was speaking in favor of the amendment and intended to vote for it. I am willing not only to vote for experiments, but I am willing to vote for a permanent plan for holding back the rains and the snows of the mountains of the arid regions for irrigation purposes.

As I was saying when I was interrupted by the Senator from Indiana, my colleague from New Hampshire took that ground explicitly in a speech made within two or three years in the Senate.

Now, Mr. President, there is no more important subject. The improvement of our rivers and harbors is no more important subject than this of irrigation. Water is wealth. Nature takes the water from the oceans of the globe and carries it over the continents till it falls in rain and snow upon the mountains of the interior. That water is worth just so much money either for irrigation or for power, and it ought to be held back. The head waters of every stream ought to be dammed and the water held for irrigation purposes.

Mr. President, I put my proposition in the broadest possible form. I never have cast an illiberal vote on this subject. I never have failed to vote for every proposition of this kind when it was before the Senate, and I shall vote that way upon this amendment in spite of the gentle diatribe of the Senator from Nebraska.

Mr. PLATT of Connecticut. Mr. President, it was my misfortune to be called from the Senate when the Senator from Nebraska made the remarks to which the Senator from New Hampshire has alluded. But Senators will bear me witness that I distinctly disclaimed in what I said any attack upon or any argument against the scheme of national irrigation when properly perfected, safeguarded, and brought forward. I said more than that. I said that very probably I should be in favor of such a scheme.

Now, I do not know what I said which would occasion any reference to the East, or the views of Senators representing the Eastern States. I know one thing, Mr. President, that in all my service here in the Senate, now extending over a period of more than twenty years, I have never alluded in the Senate Chamber disparagingly to the views, the sentiments, or the expressions of those views and sentiments from Senators occupying other sections of the country. I have never complained of the views of Senators from the West, or the middle of this country, or the South, or the Pacific coast. I do not think that such observations are called for in the Senate of the United States. I certainly shall be the last one to make them. I believe, if I know my own heart

and my own sentiment, that I try to represent not only my own State, but the country at large, and I think I may say for myself, as was said by a distinguished statesman, that I know no South, no East, no North, no West in what I do here.

I get tired, Mr. President, of hearing this continual allusion to what the East is trying to do or trying to prevent. It is not a crime to live in an Eastern State. They have just as much right in the East and in New England, I think, to have views with regard to national objects and national legislation as those who live in any other section of the country. I have always tried to be liberal in my views. I think I have been as liberal in my views with regard to what was desired for other sections of the country as any Senator here.

I merely make these remarks because I feel that it is entirely unjustifiable whenever a Senator who happens to live in New England expresses his views to have it appear here that those views are entertained because a Senator lives in the East. I never object to the views of Senators because they live on the Pacific coast, or because they live in the South, or because they live in the Middle States, and what I concede to other Senators I feel ought to be conceded to me.

There is no feeling against this enterprise in the East. There is no feeling against national irrigation in the East. The Senator from Nevada [Mr. STEWART] put into the RECORD extract after extract from Eastern papers favoring the project of national irrigation, and my mail is loaded down with letters which come from good friends, male and female, of the Indians—sympathetic and humanitarian persons—begging of me to vote for this enterprise. The humanitarian sentiment of the East has been worked, and successfully worked, in favor of this proposed scheme; and I believe that these letters are written to me largely by a misapprehension of facts. I believe that they come largely by reason of a circular which has been sent out all over the country to churches and charities and benevolent people, who are thereby induced to favor this scheme and become its advocates. I want to put this circular into the RECORD:

OUR RED RECONCENTRADOS—SOME FACTS CONCERNING THE PIMA AND PAPAGO INDIANS IN ARIZONA.

1. They number about 8,000.
2. They are located on the Gila Reservation at Sacaton, Ariz.
3. Priority of occupation. This is their ancestral home. They and their ancestors have lived there for 400 years. They came under our care and dominion by cession from Mexico in 1853.
4. They are a pastoral and agricultural people, and have always been industrious and self-supporting.
5. They have always been our friends and allies, and rendered invaluable services to our Government in our campaigns against the Apaches.
6. They are well advanced toward civilization and many of their children have been educated in the Mission and Government schools.
7. One thousand of them have given up their savage customs and are members of Christian churches.
8. By residence, occupation, and use they have a prior right to water from the Gila River, wherewith they have always irrigated their little farms.
9. By white settlements above them the water supply which belongs to these Indians has been cut off, their lands have become desert, they are forced to abandon their homes, and many of them are now confronted by hunger and starvation. Of 596 families recently visited, of whose number 1,428 are males and 1,425 females, only 7 families have been able to get a full crop; 17 have raised three-fourths of a crop; 39 have secured about half the regular crop; 91 families have got only from one-sixth to one-fourth of a crop, and 432 families of industrious Indians eager to work have not been able to raise any crop at all for lack of water.
10. Our Government is not unmindful of the equities in the case; preliminary surveys have been made, and legislation is pending, looking toward the construction of a reservoir and canal for their use.
11. But legislation is slow, and in the meantime they must be aided to live.
12. All they ask is an opportunity to earn their daily bread; and they will be glad to work on the canal and reservoir for wages which will enable them to live.

SOME REASONS FOR SPECIAL AND IMMEDIATE ACTION IN THEIR BEHALF.

1. Justice demands it. Water is their life, and we have permitted it to be diverted from their use.
2. Gratitude demands it. We owe them more than we have ever returned for friendly services in the Apache wars, etc.
3. Humanity demands it. They are stranded in a barren waste, and with their means of subsistence cut off; they must not be allowed to starve.
4. Political economy demands it. It is not wise statesmanship to allow any community to descend from a law-abiding, self-supporting condition to a condition of beggary, vagabondage, and crime for the want of a little timely aid. It has cost more to capture one Apache criminal than it will take to keep hunger from the doors of these Pimas and Papagoes until they can be given work on their canal.

"On their canal!"

5. The pitiful condition of the Cuban reconcentrados touched the American heart and set on foot measures for their immediate relief. Shall we be less generous to our own wards because they are red?

This circular is signed by Rev. Sheldon Jackson, D. D., of Alaskan and reindeer fame, and by Rev. George L. Spining, D. D., of whose acquaintance I have not the honor.

Mr. President, that is utterly and absolutely a misleading statement of the proposition which is now before the Senate. I do not say that it is utterly and absolutely misleading as to the condition of these Indians, but it utterly ignores the fact that the Interior Department and the Indian Commissioner are now attempting to irrigate those lands upon a plan which they believe practicable, and to do it by the labor of the Indians. It is a misleading and unfair statement of this case. I do not care to characterize it in any other way, but I put the circular in the RECORD

for the purpose of showing that there is not one word about the cost of the proposed canal for their use, and "their canal." There is not one word in it about the proposed irrigation of fifteen times as much Government land as there is Indian land to be irrigated.

There is nothing in it except in favor of the particular pet scheme of this joint holy alliance and the Geological Survey, which proposes by this means to establish this policy of irrigating the national lands without sufficient consideration, without any care in the preparation of it, or thinking out in advance the necessary measures which must be adopted to perfect and safeguard and make practicable the institution. There is not one word in it which indicates that there is any question about the practicability or the feasibility or the propriety or the wisdom of building this San Carlos dam. It goes out to the benevolent, the humanitarian, the tender, and the sympathetic people of this country as if the whole matter was a settled fact which required no further investigation, and that we should not refuse to go forward and build this dam and reservoir and these ditches and maintain them at an expense of three or four million dollars for the benefit of ten white men to one Indian—as if that were a settled fact and only needed the votes which can be reached of charitable, humane, and sentimental people to put it through and make it an accomplished fact.

I spoke this morning of the lobby. Lobbyists do not always come in the shape of paid attorneys. Legislation in Congress proceeds too much upon this plan and system. Senators receive letters from people who know little about the measures which they advocate, begging them to support those measures; and without investigation and without care, and because they are thus solicited by their friends, they fall in with measures for which the Government pays a tremendous cost in the future.

Mr. THURSTON. Mr. President, I regret very much that the Senator from Connecticut [Mr. PLATT] was not in the Chamber when I made, as I supposed, at least a quasi humorous reference to some of the New England people. I do not think he would have taken it up with the same seriousness that he appears to have done from his understanding of it through the lips of the Senator from New Hampshire [Mr. CHANDLER], and I do not think the Senator from New Hampshire would have taken it up, except for that keen and delightful characteristic, that I admire so much on his part, of "stirring up the animals" whenever he gets a chance.

So far as New England and her people are concerned, I could not make any disparaging reference to them. I was born there, a Yankee of Yankees, and eight generations of New England tillers of the soil lived there before I was born on the side of the New England hills. Nor could I possibly make any reference, except a laudatory one, to the Senator from Connecticut, to whom I have many times and in other places, behind his back and not to his face, referred as one of the best and most splendid representatives of the true New England character. If I have said anything that is offensive either to the Senator from Connecticut or to the delightful Senator from New Hampshire, I apologize.

Mr. President, I shall not ask for a vote on this amendment to-night, but before we adjourn—

Mr. SULLIVAN. Mr. President—

Mr. THURSTON. If the Senator will permit me to get in a couple of amendments, I will yield to him. I wish to move the adoption of two or three amendments which the committee propose, which, I think, will cause no discussion. I send the first amendment to the desk and ask that it be read.

The PRESIDENT pro tempore. The first amendment will be stated.

The SECRETARY. On page 33, after line 20, it is proposed to insert:

For improving the conditions of Klamath Agency, Oreg., school and agency, by the installation of lighting, sewer, and water systems, the sum of \$11,000, itemized as follows:

Water system, \$5,700; sewer system, \$2,100; lighting system, \$3,200; in all, the sum of \$11,000.

The amendment was agreed to.

Mr. THURSTON. On behalf of the Committee on Indian Affairs, I offer the amendment which I send to the desk.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. On page 52, after line 21, it is proposed to insert:

That the Secretary of the Interior shall make investigation as to the practicability of providing a water supply for irrigation purposes, to be used on a portion of the reservation of the Southern Utes in Colorado; and he is authorized, in his discretion, to contract for, and to expend from the funds of said Southern Utes in the purchase of, perpetual water rights sufficient to irrigate not exceeding 10,000 acres on the western part of the Southern Ute Reservation, and for annual charges for maintenance of such water thereon, such amount and upon such terms and conditions as to him may seem just and reasonable, not exceeding \$150,000 for the purchase of such perpetual water rights, and not exceeding a maximum of 50 cents per acre per annum for the maintenance of water upon the land to be irrigated: *Provided*, That after such an investigation he shall find all the essential conditions relative to the water supply and to the perpetuity of its availability for use upon said lands such as in his judgment will justify a contract for its perpetual use: *Provided*, That the Secretary of the Interior, upon making all such contracts,

shall require from the person or persons entering into such contract a bond of indemnity, to be approved by him, for the faithful and continuous execution of such contract as provided therein.

The amendment was agreed to.

Mr. PLATT of Connecticut. There has been a difference of opinion about the amendment passed over on page 47. I felt that I must oppose it and raise the point of order on it, but there has been a suggested change of the amendment which will satisfy me, and if that can be put in at the present time I think it will facilitate the consideration of the bill.

Mr. THURSTON. I move to amend the committee amendment, commencing at line 17, on page 47, by striking out down to and including line 3, on page 48, and in place of it inserting what I send to the desk.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. On page 47, after line 16, it is proposed to strike out:

That the Secretary of the Interior may, in his discretion, permit miners to enter upon Indian reservations to prospect and mine for gold, silver, copper, lead, zinc, and coal, under such rules and regulations, not in conflict with the laws of the United States, as he may from time to time prescribe, upon payment to the United States, for the benefit of the Indians, of all damages which the Indians may sustain from the operations of the miners: *Provided*, That no permit shall be granted to enter or mine on reservations where the Indians have title, without their consent: *Provided further*, That the title to the minerals on Indian reservations shall remain in the United States.

And in lieu thereof to insert:

To enable the Secretary of the Interior, with the approval of the President, to exclude from executive order reservations mineral lands not necessary for the support of the Indians, and to make the necessary investigation for that purpose, \$25,000.

The amendment was agreed to.

Mr. THURSTON. I submit an amendment sent to me since the committee was in session by the Attorney-General of the United States, together with a letter and document. I ask that the amendment be printed and lie on the table.

The PRESIDENT pro tempore. Without objection, the amendment will be printed and lie on the table.

Mr. THURSTON. The Senator from Arkansas has an amendment to propose on behalf of the committee.

Mr. JONES of Arkansas. Mr. President—

Mr. RAWLINS. I should like to make an inquiry of the Senator before that is done. Will the Senator yield for an inquiry?

Mr. THURSTON. Certainly.

Mr. RAWLINS. I desire to inquire if the proposition of the Senator from Nebraska to strike out the amendment beginning with line 17, on page 47, is to strike out the whole amendment?

Mr. THURSTON. To strike out the whole amendment and insert what has been read and agreed to.

Mr. JONES of Arkansas. I offer an amendment to come in after line 4 on page 40. As it has been written somewhat hastily, I will read it:

That the Secretary of the Interior is directed, through an Indian inspector, to investigate and report to Congress, at its next session, whether it is practicable to provide a system of taxation of personal property, occupations, franchises, etc., in the Indian Territory sufficient to maintain a system of free schools for all children of the Indian Territory.

The amendment was agreed to.

Mr. SULLIVAN. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Nebraska yield to the Senator from Mississippi?

Mr. THURSTON. Yes, Mr. President, I will yield to the Senator, and then, unless there is some further business which the Senate desires to take up, I will move to adjourn. But the Senator from Colorado [Mr. TELLER] desires first to present an amendment.

Mr. CHANDLER. I ask the Senator to move an executive session instead.

Mr. THURSTON. Very well.

Mr. TELLER. I wish to offer merely a formal amendment. On page 44 there is a provision that the Secretary of the Interior may sell 10,000,000 board feet of lumber from the unallotted lands of the Jicarilla Apache Indians. We put such a provision in an appropriation bill once, but the mill people declared that the amount proposed to be sold was not sufficient and that they could not afford to build their mills and make their logways into the mountains to get it.

I move to amend the amendment of the committee by striking out "ten" and inserting "twenty," so as to make the amount "20,000,000 board feet." That, I understand, the committee do not object to.

Mr. PLATT of Connecticut. I have no objection to letting it go in the bill, with the understanding that it will be taken up in conference. We have not investigated that subject, but with the understanding that it be considered in conference, I do not object.

Mr. TELLER. Certainly.

The PRESIDENT pro tempore. The amendment proposed by the Senator from Colorado will be stated.

The SECRETARY. On page 24, line 24, before the word "million," it is proposed to strike out "ten" and insert "twenty;" so as to read:

That the Secretary of the Interior be, and he is hereby, authorized, in his discretion, to sell or otherwise dispose of a quantity of timber, not exceeding 20,000,000 board feet in any one year, from the unallotted lands of the Jicarilla Apache Indian Reservation, N. Mex., under such rules and regulations as he may deem proper and necessary to protect the interests of the Indians and of the United States, the proceeds to be used by him in the purchase of sheep and other stock for the benefit of the Indians belonging on said reservation, or deposited in the Treasury of the United to their credit.

The amendment was agreed to.

Mr. TELLER. On page 45, in the same clause, there is a provision that this money shall be distributed to the Indians or deposited in the Treasury of the United States to their credit. They have no money in the Treasury, and I do not want it deposited. I want to have the money paid to them. So I move to strike out all of line 6 after the word "reservation."

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. On page 45, line 6, after the word "reservation," it is proposed to strike out "or deposited in the Treasury of the United States to their credit."

The amendment was agreed to.

ESTATE OF ELI AYRES.

Mr. SULLIVAN. I ask unanimous consent for the present consideration of the bill (S. 3513) to quiet the titles of certain lands in the State of Mississippi and for the relief of the estate of Eli Ayres, deceased.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. SULLIVAN. I move to strike out the preamble of the bill, beginning immediately after the title.

Mr. SPOONER. Let the bill be read for information, Mr. President, before it is amended.

The PRESIDENT pro tempore. The amendment of the Senator from Mississippi is to strike out the preamble of the bill.

Mr. SULLIVAN. That is all; to strike out the preamble.

The PRESIDENT pro tempore. That will properly come in after action on the bill itself. The bill will be read for information.

The Secretary read the bill.

Mr. SPOONER. Mr. President, that is not a very little bill.

Mr. SULLIVAN. But as reported by the committee the bill is very much cut down, and a very different state of affairs is presented.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. CHANDLER. The Senator from Mississippi will see that a bill of that size and importance should not be passed when so few Senators are present.

Mr. SULLIVAN. A bill of the size and importance which the Senator supposes is not the bill which is now before the Senate. The fact is that the committee has cut down to about one-sixth of it.

Mr. CHANDLER. I do not object to the bill, but I move that the Senate proceed to the consideration of executive business.

Mr. SULLIVAN. The effect of that motion is the same as an objection to the consideration of the bill, as I understand it.

Mr. CHANDLER. But the Senator can bring it up at another time.

Mr. SULLIVAN. I hope the Senator will not insist upon his motion.

The PRESIDENT pro tempore. The Chair will request the Senator to withhold his motion for the present in order that the Chair may present to the Senate some business which is upon the table.

Mr. CHANDLER. I withdraw the motion.

Mr. SULLIVAN. I move that the Senate adjourn.

The PRESIDENT pro tempore. Will the Senator allow the Presiding Officer to clear the table of matters upon it?

Mr. SULLIVAN. Certainly. I withdraw the motion for that purpose.

FORDYCE M. KEITH.

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying paper, referred to the Committee on Pensions:

To the Senate of the United States:

In compliance with a resolution of the Senate of the 24th instant (the House of Representatives concurring), I return herewith the bill (S. 1456) entitled "An act granting an increase of pension to Fordyce M. Keith."

WILLIAM MCKINLEY.

EXECUTIVE MANSION, January 26, 1901.

Mr. SULLIVAN. I move that the Senate adjourn.

The PRESIDENT pro tempore. There is more business on the table which the Chair would like to present to the Senate.

Mr. SULLIVAN. I withdraw the motion for that purpose.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (H. R. 551) granting an increase of pension to Frank F. Carnduff;

A bill (H. R. 601) granting an increase of pension to Daniel W. Shaw;

A bill (H. R. 633) granting an increase of pension to Vianna Mallard;

A bill (H. R. 1148) granting an increase of pension to Isaac D. Toll;

A bill (H. R. 1566) granting a pension to Mary J. Connery;

A bill (H. R. 2396) granting an increase of pension to Francis H. Pike;

A bill (H. R. 3232) granting an increase of pension to David Flinn;

A bill (H. R. 3466) granting a pension to Hiram Stimple;

A bill (H. R. 3945) granting an increase of pension to Burdette N. Cleaveland;

A bill (H. R. 4078) granting an increase of pension to John D. Allen;

A bill (H. R. 4672) granting a pension to James W. Boden;

A bill (H. R. 4906) granting a pension to Ellen Quinn;

A bill (H. R. 5195) granting an increase of pension to Jacob W. Kouts;

A bill (H. R. 5303) granting a pension to Julia A. Prouty;

A bill (H. R. 5613) granting an increase of pension to Louis Nessell;

A bill (H. R. 6145) granting a pension to Benoni A. McConnell;

A bill (H. R. 6319) granting an increase of pension to George W. Cox, alias John Smith;

A bill (H. R. 6914) granting an increase of pension to Elliott Loomis;

A bill (H. R. 6921) granting an increase of pension to Gustav Rienecker;

A bill (H. R. 7810) granting an increase of pension to Robert P. Currin;

A bill (H. R. 8001) granting a pension to Sampson D. Bridgman;

A bill (H. R. 8525) granting an increase of pension to Maurice Fitzgerald;

A bill (H. R. 8658) granting an increase of pension to Edwin G. Fay;

A bill (H. R. 8938) granting an increase of pension to Alexander F. Hartford;

A bill (H. R. 9182) granting a pension to Eva K. Nyberg;

A bill (H. R. 9235) granting a pension to Peter Lundberg;

A bill (H. R. 9536) granting a pension to Sarah Hastings, formerly Sarah Carter;

A bill (H. R. 9914) granting a pension to Almira A. Scott;

A bill (H. R. 10118) granting an increase of pension to Mary Flynn;

A bill (H. R. 10480) granting an increase of pension to George P. Overton;

A bill (H. R. 11312) granting an increase of pension to Johnson H. Fitzpatrick;

A bill (H. R. 11507) granting an increase of pension to Perry C. Jeffrey;

A bill (H. R. 11658) granting an increase of pension to Mary J. Nelson;

A bill (H. R. 11806) granting an increase of pension to Edward Hause;

A bill (H. R. 11836) granting an increase of pension to Bela Sawyer;

A bill (H. R. 12063) granting an increase of pension to Eugene M. Hawes;

A bill (H. R. 12190) granting an increase of pension to Patrick Connelly;

A bill (H. R. 12249) granting an increase of pension to Gideon Johnson;

A bill (H. R. 12258) granting a pension to John H. Doremus;

A bill (H. R. 12294) granting a pension to Lottie M. Rankins;

A bill (H. R. 12297) granting an increase of pension to Andrew J. Harbison;

A bill (H. R. 12301) granting an increase of pension to Jacob E. Swap;

A bill (H. R. 12350) granting an increase of pension to James Paul;

A bill (H. R. 12391) granting an increase of pension to James M. Campbell;

A bill (H. R. 12411) granting a pension to Catherine T. Howell;

A bill (H. R. 12415) granting an increase of pension to Carrie Otis Wallace;

A bill (H. R. 12444) granting an increase of pension to John D. Cohler;

A bill (H. R. 12476) granting an increase of pension to Samuel Minnich;

A bill (H. R. 12490) granting an increase of pension to Andrew J. West;

A bill (H. R. 12516) granting an increase of pension to Edward Warner;

A bill (H. R. 12577) granting a pension to Sarah B. Schaeffer;

A bill (H. R. 12566) granting a pension to George M. Walker; and

A bill (H. R. 12616) granting an increase of pension to Nancy T. Hardy.

The following bills were severally read twice by their titles, and referred to the Committee on Military Affairs:

A bill (H. R. 2430) for the relief of Jacob L. Hanger, alias William T. Graham;

A bill (H. R. 3825) to grant an honorable discharge to Frederick A. Noeller; and

A bill (H. R. 5409) for relief of Matthew T. Lewis.

The bill (H. R. 5612) for the relief of William Dugdale, postmaster at Noroton Heights, Conn., was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

The bill (H. R. 13705) making appropriations for the naval service for the fiscal year ending June 30, 1902, and for other purposes, was read twice by its title, and referred to the Committee on Naval Affairs.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on the 25th instant approved and signed the following acts:

An act (S. 1996) revoking and annulling the subdivision of Pencote Heights, in the District of Columbia;

An act (S. 4816) to provide for closing of part of an alley in square 163, in the city of Washington, D. C., and for the sale thereof to the Young Men's Christian Association of the city of Washington;

An act (S. 91) granting a pension to J. J. Groff;

An act (S. 1413) granting a pension to Erie E. Farmer;

An act (S. 292) granting an increase of pension to Martha G. D. Lyster;

An act (S. 349) granting an increase of pension to James H. Coventon;

An act (S. 2166) granting an increase of pension to Charles A. D. Wiswell;

An act (S. 2400) granting an increase of pension to Edith Lockwood Sturdy;

An act (S. 3457) granting an increase of pension to Laura Ann Smith;

An act (S. 4054) granting an increase of pension to Elizabeth W. Eldridge;

An act (S. 4441) granting an increase of pension to Gertrude B. Wilkinson;

An act (S. 4574) granting an increase of pension to Mary Emily Wilcox;

An act (S. 4575) granting an increase of pension to Thomas Claiborne; and

An act (S. 5093) granting an increase of pension to Charlotte W. Drew.

The message also announced that the President of the United States had on this day approved and signed the act (S. 5258) to allow the commutation of homestead entries in certain cases.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 12291) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1902, and for other purposes, and asking for a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. ALLISON. I move that the Senate insist upon its amendments and agree to the conference asked for by the House.

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate; and Mr. ALLISON, Mr. SEWELL, and Mr. TELLER were appointed.

CATHERINE A. YOUNG.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 3253) granting an increase of pension to Catherine A. Young, which was, in line 9, before the word "dollars," to strike out "twenty" and insert "twelve."

Mr. SHOUP. I move that the Senate concur in the amendment of the House of Representatives.

The motion was agreed to.

JOHN HUTCHENS.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 3941) granting an increase of pension to John Hutchens, which was, in line 8, before the word "dollars," to strike out "twenty" and insert "twelve."

Mr. SHOUP. I move that the Senate concur in the amendment of the House of Representatives.

The motion was agreed to.

EXECUTIVE SESSION.

Mr. CHANDLER. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 5 o'clock and 35 minutes p. m.) the Senate adjourned until Monday, January 28, 1901, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate January 26, 1901.

PROMOTIONS IN THE ARMY.

Cavalry arm.

Second Lieut. William Kelly, jr., Second Cavalry, to be first lieutenant, January 14, 1901, vice Davis, Fourth Cavalry, who resigns his line commission only.

Second Lieut. George T. Summerlin, Eighth Cavalry, to be first lieutenant, January 18, 1901, vice Morrison, Fourth Cavalry, killed in action.

SECOND ASSISTANT ENGINEER.

Henry Todd Powell, of Maryland, to be a second assistant engineer in the United States Revenue-Cutter Service, vice Second Assistant Engineer George C. Farkell, resigned.

APPOINTMENT IN THE ARMY.

Rev. Oliver C. Miller, of California (late chaplain Eighth California Volunteer Infantry), to be chaplain, January 26, 1901, vice Pilchard, resigned.

INDIAN AGENT.

George D. Corson, of Evanston, Wyo., to be agent for the Indians of the San Carlos Agency, in Arizona, vice Capt. William J. Nicholson, United States Army, relieved from duty as acting Indian agent.

REGISTER OF LAND OFFICE.

Melvin A. Deering, of Colorado, to be register of the land office at Gunnison, Colo., vice Charles F. Hamlin, resigned.

RECEIVER OF PUBLIC MONEYS.

Benjamin K. Kimberly, of Salem, Colo., to be receiver of public moneys at Denver, Colo., to take effect December 21, 1900, at expiration of his term of office. (Reappointment.)

POSTMASTERS.

Stanley E. Moore, to be postmaster at Crewe, Nottoway County, Va. Office became Presidential January 1, 1900.

Ezra F. Ferris, sr., to be postmaster at Chatham, Morris County, N. J. Office became Presidential July 1, 1900.

Edward E. Blackmon, to be postmaster at Augusta, Woodruff County, Ark. Office became Presidential January 1, 1901.

James R. Hudson, to be postmaster at De Queen, Sevier County, Ark. Office became Presidential January 1, 1901.

Albert W. Coulter, to be postmaster at Hamburg, Ashley County, Ark. Office became Presidential January 1, 1901.

Nancy M. Gregg, to be postmaster at Fullerton, Orange County, Cal. Office became Presidential January 1, 1901.

George B. Hayden, to be postmaster at North Ontario, San Bernardino County, Cal. Office became Presidential January 1, 1901.

J. E. Hoyle, to be postmaster at Taylor, Shasta County, Cal. Office became Presidential January 1, 1901.

John Astleford, to be postmaster at De Funiak Springs, Walton County, Fla. Office became Presidential January 1, 1901.

Olive E. Stout, to be postmaster at Myers, Lee County, Fla. Office became Presidential January 1, 1901.

Austin G. Nettleton, to be postmaster at Nampa, Canyon County, Idaho. Office became Presidential January 1, 1901.

John I. Heisler, to be postmaster at Dallas City, Hancock County, Ill. Office became Presidential January 1, 1901.

Joel W. Hamilton, to be postmaster at Eaton, Delaware County, Ind. Office became Presidential January 1, 1901.

Louis T. Bell, to be postmaster at Flora, Carroll County, Ind. Office became Presidential January 1, 1901.

Alva T. Hart, to be postmaster at National Military Home, Grant County, Ind. Office became Presidential January 1, 1901.

William E. Fox, to be postmaster at Wolcott, White County, Ind. Office became Presidential January 1, 1901.

Oswell Z. Wellman, to be postmaster at Arlington, Fayette County, Iowa. Office became Presidential January 1, 1901.

Eugene M. Crosswait, to be postmaster at Earlham, Madison County, Iowa. Office became Presidential January 1, 1901.

William W. De Long, to be postmaster at Eddyville, Wapello County, Iowa. Office became Presidential January 1, 1901.

Philip M. Mosher, to be postmaster at Riceville, Mitchell County, Iowa. Office became Presidential January 1, 1901.

- Pearl E. Frayer, to be postmaster at Ness City, Ness County, Kans. Office became Presidential January 1, 1901.
- Bettie E. Glover, to be postmaster at Arcadia, Bienville Parish, La. Office became Presidential January 1, 1901.
- James Durham, to be postmaster at Leesville, Vernon Parish, La. Office became Presidential January 1, 1901.
- Nannie O. Hamilton, to be postmaster at Pollock, Grant Parish, La. Office became Presidential January 1, 1901.
- Charles H. Eastman, to be postmaster at Millinocket, Penobscot County, Me. Office became Presidential January 1, 1901.
- George A. Birnie, to be postmaster at Ludlow, Hampden County, Mass. Office became Presidential January 1, 1901.
- Hugh W. Parker, to be postmaster at Bancroft, Shiawassee County, Mich. Office became Presidential January 1, 1901.
- Berton M. Wooley, to be postmaster at Elsie, Clinton County, Mich. Office became Presidential January 1, 1901.
- Alfred S. Follansbee, to be postmaster at Ontonagon, Ontonagon County, Mich. Office became Presidential January 1, 1901.
- Justin A. Harsh, to be postmaster at Tekonsha, Calhoun County, Mich. Office became Presidential January 1, 1901.
- Iver S. Gerald, to be postmaster at Bird Island, Renville County, Minn. Office became Presidential January 1, 1901.
- William H. Smith, to be postmaster at Cambridge, Isanti County, Minn. Office became Presidential January 1, 1901.
- Lars J. Hauge, to be postmaster at Elbow Lake, Grant County, Minn. Office became Presidential January 1, 1901.
- Edward F. Gummer, to be postmaster at Frazee, Becker County, Minn. Office became Presidential January 1, 1901.
- Nelson H. Fulton, to be postmaster at Hawley, Clay County, Minn. Office became Presidential January 1, 1901.
- Hattie J. Hodgson, to be postmaster at Herman, Grant County, Minn. Office became Presidential January 1, 1901.
- Frank B. Higley, to be postmaster at Lake Park, Becker County, Minn. Office became Presidential January 1, 1901.
- Newlon H. Danforth, to be postmaster at Mora, Kanabec County, Minn. Office became Presidential January 1, 1901.
- George E. Kirkpatrick, to be postmaster at Rushford, Fillmore County, Minn. Office became Presidential January 1, 1901.
- Jennie D. Ligon, to be postmaster at Gloster, Amite County, Miss. Office became Presidential January 1, 1901.
- Charles M. Ward, to be postmaster at Craig, Holt County, Mo. Office became Presidential January 1, 1901.
- James L. Darling, to be postmaster at Flat River, St. Francois County, Mo. Office became Presidential January 1, 1901.
- Benjamin W. Johnson, to be postmaster at Atkinson, Holt County, Nebr. Office became Presidential January 1, 1901.
- Andrew Girsham, to be postmaster at Guttenberg, Hudson County, N. J. Office became Presidential January 1, 1901.
- William S. Kelley, to be postmaster at Smithville, Burlington County, N. J. Office became Presidential January 1, 1901.
- Richard C. Bullock, to be postmaster at Cherry Creek, Chautauqua County, N. Y. Office became Presidential January 1, 1901.
- David L. Jamieson, to be postmaster at New York Mills, Oneida County, N. Y. Office became Presidential January 1, 1901.
- Charles W. Clark, to be postmaster at Oriskany Falls, Oneida County, N. Y. Office became Presidential January 1, 1901.
- Julia A. Ritter, to be postmaster at Carthage, Moore County, N. C. Office became Presidential January 1, 1901.
- Adolphus R. Wilson, to be postmaster at Dunn, Harnett County, N. C. Office became Presidential January 1, 1901.
- John G. Brown, to be postmaster at Red Springs, Robeson County, N. C. Office became Presidential January 1, 1901.
- Asaph M. Clarke, to be postmaster at Southern Pines, Moore County, N. C. Office became Presidential January 1, 1901.
- Charles M. Hoover, to be postmaster at Thomasville, Davidson County, N. C. Office became Presidential January 1, 1901.
- Lester Crittenden, to be postmaster at Burton, Geauga County, Ohio. Office became Presidential January 1, 1901.
- Thomas E. Dunnington, to be postmaster at Malta, Morgan County, Ohio. Office became Presidential January 1, 1901.
- George E. Reed, to be postmaster at Prairie Depot, Wood County, Ohio. Office became Presidential January 1, 1901.
- Orrin W. Curtis, to be postmaster at Swanton, Fulton County, Ohio. Office became Presidential January 1, 1901.
- Wiley C. Shadden, to be postmaster at Mangum, Greer County, Okla. Office became Presidential January 1, 1901.
- William L. Stalnaker, to be postmaster at Tonkawa, Kay County Okla. Office became Presidential January 1, 1901.
- Elsworth L. Riley, to be postmaster at Ashley, Luzerne County, Pa. Office became Presidential January 1, 1901.
- James Barnes, to be postmaster at Barnesboro, Cambria County, Pa. Office became Presidential January 1, 1901.
- Ammon M. Aurand, to be postmaster at Beaver Springs, Snyder County, Pa. Office became Presidential January 1, 1901.
- Harry H. Nichols, to be postmaster at Girard, Erie County, Pa. Office became Presidential January 1, 1901.
- George R. Walton, to be postmaster at Malvern, Chester County, Pa. Office became Presidential January 1, 1901.
- Michael K. Bergey, to be postmaster at Souderton, Montgomery County, Pa. Office became Presidential January 1, 1901.
- Elizabeth W. Haseltine, to be postmaster at Swissvale, Allegheny County, Pa. Office became Presidential January 1, 1901.
- Frank A. Howe, to be postmaster at Waterford, Erie County, Pa. Office became Presidential January 1, 1901.
- Rebecca C. Calhoun, to be postmaster at Clemson College, Oconee County, S. C. Office became Presidential January 1, 1901.
- Bernhard Levy, to be postmaster at Walterboro, Colleton County, S. C. Office became Presidential January 1, 1901.
- Arthur B. Chubbuck, to be postmaster at Ipswich, Edmunds County, S. Dak. Office became Presidential January 1, 1901.
- Austin M. Robinson, to be postmaster at West, McLennan County, Tex. Office became Presidential January 1, 1901.
- William F. Jones, to be postmaster at Lawrenceville, Brunswick County, Va. Office became Presidential January 1, 1901.
- Francis M. Scheble, to be postmaster at Wenatchee, Chelan County, Wash. Office became Presidential January 1, 1901.
- Jesse J. Flanagan, to be postmaster at Salem, Harrison County, W. Va. Office became Presidential January 1, 1901.
- Kate Helmick, to be postmaster at Thomas, Tucker County, W. Va. Office became Presidential January 1, 1901.
- Charles J. Settersten, to be postmaster at Menokaunee, Marinette County, Wis. Office became Presidential January 1, 1901.
- Charles S. Button, to be postmaster at Milton Junction, Rock County, Wis. Office became Presidential January 1, 1901.
- John C. Southworth, to be postmaster at Whitehall, Trempealeau County, Wis. Office became Presidential January 1, 1901.
- Arthur G. Munn, to be postmaster at San Jacinto, Riverside County, Cal. Office became Presidential October 1, 1901.
- James F. Jordan, to be postmaster at Valley Junction, Polk County, Iowa. Office became Presidential October 1, 1900.
- Lorenzo S. Gardner, to be postmaster at Brunswick, Frederick County, Md. Office became Presidential October 1, 1900.
- Andrew W. Mars, to be postmaster at Berrien Springs, Berrien County, Mich. Office became Presidential October 1, 1900.
- John R. Walters, to be postmaster at Stephen, Marshall County, Minn. Office became Presidential October 1, 1900.
- Winslow L. Rideout, to be postmaster at Lakeport, Lake County, Cal., in place of C. J. Monroe. Incumbent's commission expired April 16, 1900.
- Meserve M. Getchell, to be postmaster at Silver City, Owyhee County, Idaho, in place of M. M. Getchell. Incumbent's commission expires February 9, 1901. Reappointed.
- Isabel C. Taylor, to be postmaster at Mansfield, De Soto Parish, La., in place of W. B. Taylor. Incumbent's commission expired January 12, 1901.
- Benjamin Derby, jr., to be postmaster at Concord Junction, Middlesex County, Mass., in place of A. H. Chase. Incumbent's commission expires March 2, 1901.
- Charles H. Riley, to be postmaster at Dedham, Norfolk County, Mass., in place of Charles H. Riley. Incumbent's commission expires January 28, 1901. Reappointed.
- Wilbur F. Whitney, to be postmaster at South Ashburnham, Worcester County, Mass., in place of Emma L. Lombard. Incumbent's commission expired January 18, 1901.
- I. A. Caswell, to be postmaster at Anoka, Anoka County, Minn., in place of Mary A. Ryan. Incumbent's commission expires February 20, 1901.
- Wellington De Vere Joubert, to be postmaster at Litchfield, Meeker County, Minn., in place of J. F. Maher. Incumbent's commission expires February 20, 1901.
- Nettie J. Van Inwegen, to be postmaster at Ortonville, Bigstone County, Minn., in place of Nettie J. Van Inwegen. Incumbent's commission expired January 7, 1901. Reappointed.
- Grace Lamont, to be postmaster at Dillon, Beaverhead County, Mont., in place of Grace Lamont. Incumbent's commission expired January 12, 1901. Reappointed.
- Palmer H. Charlock, to be postmaster at Elizabeth, Union County, N. J., in place of W. J. Whelan. Incumbent's commission expired January 12, 1901.
- Howard V. Locke, to be postmaster at Swedesboro, Gloucester County, N. J., in place of J. J. Davidson. Incumbent's commission expires February 16, 1901.
- Frantz Murray, to be postmaster at Dolgeville, Herkimer County, N. Y., in place of G. E. Sweeting. Incumbent's commission expires February 18, 1901.
- Lewis J. Townley, to be postmaster at Groton, Tompkins County, N. Y., in place of G. M. Stoddard. Incumbent's commission expired May 29, 1900.
- George W. Armstrong, to be postmaster at Manlius, Onondaga County, N. Y., in place of W. F. Sponenburg. Incumbent's commission expired January 7, 1901.
- Henry Feindt, to be postmaster at Lykens, Dauphin County,

Pa., in place of M. F. Moyer. Incumbent's commission expires January 28, 1901.

Edwin S. Holcomb, to be postmaster at Westfield, Tioga County, Pa., in place of Frank Strang. Incumbent's commission expired January 7, 1900.

John P. Little, to be postmaster at Clinton, Laurens County, S. C., in place of John P. Little. Incumbent's commission expired January 15, 1900. Reappointed.

Joseph C. Hale, to be postmaster at Winchester, Franklin County, Tenn., in place of E. L. Drake. Incumbent's commission expired January 18, 1901.

Martin A. Lien, to be postmaster at Black River Falls, Jackson County, Wis., in place of David Thompson. Incumbent's commission expired January 12, 1901.

Oliver W. Babeock, to be postmaster at Omro, Winnebago County, Wis., in place of H. L. Waite. Incumbent's commission expires January 28, 1901.

Jacob G. Bickly, to be postmaster at Texarkana, Miller County, Ark., in place of B. M. Foreman, resigned.

H. C. Foster, to be postmaster at Corona, Riverside County, Cal., in place of C. H. Cornell, resigned.

James Longstreet Sibley, to be postmaster at Milledgeville, Baldwin County, Ga., in place of C. G. Wilson, removed.

John S. Sweeney, to be postmaster at Paris, Bourbon County, Ky., in place of J. L. Bosley, removed.

Ferdinand B. Earhart, to be postmaster at New Orleans, Orleans Parish, La., in place of J. R. G. Pitkin, resigned.

Leonard A. Saville, to be postmaster at Lexington, Middlesex County, Mass., in place of L. G. Babcock, deceased.

T. B. Horton, to be postmaster at Stewartville, Olmsted County, Minn., in place of E. S. Wooldridge, deceased.

Simon S. Matthews, to be postmaster at Hazlehurst, Copiah County, Miss., in place of M. C. Matthews, deceased.

Elizabeth C. Cox, to be postmaster at Adrian, Bates County, Mo., in place of J. M. Cox, deceased.

Alexander T. Boothe, to be postmaster at Pierce City, Lawrence County, Mo., in place of G. A. Purdy, deceased.

George Williams, to be postmaster at Cambridge, Furnas County, Nebr., in place of E. R. Bee, resigned.

Henry Graham, to be postmaster at Bridgeton, Cumberland County, N. J., in place of C. H. Pierson, removed.

William T. Corlies, to be postmaster at Red Bank, Monmouth County, N. J., in place of William Pentard, removed.

Joseph F. Stephens, to be postmaster at Highland Falls, Orange County, N. Y., in place of J. E. Brennan, deceased.

Marion O. Martin, to be postmaster at Honeoye Falls, Monroe County, N. Y., in place of William Martin, deceased.

Ernest J. Robinson, to be postmaster at Plattsburg, Clinton County, N. Y., in place of F. F. Hathaway, deceased.

Victoria L. Martin, to be postmaster at Tarboro, Edgecombe County, N. C., in place of J. J. Martin, deceased.

Charles A. Reynolds, to be postmaster at Winston-Salem, Forsyth County, N. C., in place of P. H. Lybrook, deceased.

Alice Davidson, to be postmaster at Wahpeton, Richland County, N. Dak., in place of D. R. Davidson, deceased.

Robert A. Todd, to be postmaster at Ellwood City, Lawrence County, Pa., in place of H. S. Blatt, resigned.

S. Clay Miller, to be postmaster at Lancaster, Lancaster County, Pa., in place of A. C. Reineohl, deceased.

James H. Patterson, to be postmaster at Sharpsburg, Allegheny County, Pa., in place of C. E. Redman, removed.

Robert A. Etter, to be postmaster at Monroe, Green County, Wis., in place of C. A. Booth, resigned.

HOUSE OF REPRESENTATIVES.

SATURDAY, January 26, 1901.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN.

The Journal of the proceedings of yesterday was read and approved.

LEGISLATIVE APPROPRIATION BILL.

Mr. HEMENWAY. Mr. Speaker, I ask unanimous consent that the House nonconcur in the amendments of the Senate to the bill H. R. 12291, being the legislative appropriation bill, and ask a conference with the Senate on the disagreeing votes of the two Houses thereon.

The SPEAKER. The gentleman from Indiana asks unanimous consent that the House disagree to the amendments of the Senate to the legislative appropriation bill and ask a conference with the Senate on the disagreeing votes thereon. Is there objection?

There was no objection.

The SPEAKER announced the appointment of the managers on the part of the House, as follows: Mr. BINGHAM, Mr. HEMENWAY, and Mr. LIVINGSTON.

CODIFICATION OF THE POSTAL LAWS.

Mr. LOUD. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 13423, being the postal codification bill.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. LAWRENCE in the chair.

The CHAIRMAN. The Clerk will proceed with the reading of the bill.

The Clerk read section 289 of the bill, as follows:

SEC. 289. That all contracts for carrying the mail shall be in the name of the United States and shall be awarded to the lowest bidder tendering sufficient guaranties for faithful performance; but the Postmaster-General shall not be bound to consider the bid of any person who has willfully or negligently failed to perform a former contract.

Mr. LATIMER. I wish to offer an amendment, Mr. Chairman, to this section.

The CHAIRMAN. The Chair will state that several amendments are already pending, as the Chair is informed, to this section.

Mr. LOUD. There is so much confusion, Mr. Chairman, that it is impossible to understand what the Chair states. I wish to ask if there are not two or three amendments already sent up, some time ago, which are supposed to be pending to this section?

The CHAIRMAN. There are, and the Chair will direct the Clerk to read the first amendment, presented by the gentleman from Georgia [Mr. MADDOX].

The Clerk read as follows:

Amend, in line 20, page 125, section 289 of the bill, after the word "general," by inserting:

"Shall prescribe the manner in which said mail shall be conveyed," etc.

Mr. LOUD. Who offered that amendment?

The CHAIRMAN. That amendment was offered by the gentleman from Georgia [Mr. MADDOX]. The question is on the adoption of the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will report the next amendment, proposed by the gentleman from South Carolina [Mr. LATIMER].

The Clerk read as follows:

Insert, after the word "performance," in line 20, section 289, on page 125 of the bill, as follows:

"Provided, That no contract for carrying the mails, by star-route service from post-office to post-office within the United States, shall be let to any person or persons not a resident of the county in which the route or a part thereof lies."

Mr. LATIMER. Mr. Chairman, the trouble under the present law is that the contractors who take these contracts for carrying the mails are the lowest bidders, and they sublet them to irresponsible parties, and the people suffer by reason of not having adequate mail service or mail facilities along these routes.

I have inquired into this subject, Mr. Chairman, with the hope that I might be able to withdraw this amendment and allow the codification of the laws as they have been presented here to pass the House and not offer any further amendment; but I find that it is utterly impossible to secure an amendment of the law in any other way. If we offer this amendment to the Post-Office appropriation bill when it comes into the House, it is subject to a point of order.

This evil exists all over the United States, in every part of our country. Complaint is made to the Representatives in Congress, and they go to the Post-Office Department and find that it is utterly impossible to remedy this evil. A contractor living in Virginia, for instance, will take all the contracts in the Southern States. Then he sends out his agents through the country. They sublet these contracts to irresponsible parties. I have two letters, which have come to me within the last few days, from people along these lines where this mail is carried, where the irresponsible contractor who has taken a subcontract has lost his horse, and, being unable to purchase another, is now delivering the mail two or three hours late, carrying it on foot, so that the people are suffering by reason of the failure to carry out the contract. If you go to the Post-Office Department for a remedy, the statement of the Second Assistant Postmaster-General is that he has let the contract to the lowest bidder, according to law. He has carried out the law, and we are powerless to remedy these evils. Now, I want to say that, if we pass this amendment, it is in conformity with the rule issued by the Second Assistant Postmaster-General.

He realizes the evil that the people of this country are suffering by reason of the present law, and has issued this order; but it has been held by some lawyers on this floor that it is a violation of existing laws, that he has no right to let these contracts to residents if he receives a lower bid from some other section of the country. What we desire is to pass this amendment, so that the Postmaster-General will be required to let these contracts to residents who live along the line where the mail is carried. If we do this, I am satisfied that we will have better service throughout